



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MN

Introduction

This hearing dealt with an application by the landlord for a monetary order. The landlord participated in the conference call hearing but the tenant(s) did not. The landlord presented evidence that the tenants were served with the application for dispute resolution and notice of hearing by registered mail on May 4, 2012. I found that the tenants had been properly served with notice of the landlord's claim and the date and time of the hearing and the hearing proceeded in their absence. The landlord gave affirmed evidence.

Issues to be Decided

Is the landlord entitled to a monetary order?

Background and Evidence

The tenancy began on or about September 1, 2003. Rent in the amount of \$1163.00 is payable in advance on the first day of each month. At the outset of the tenancy the landlord collected from the tenant a security deposit in the amount of \$500.00.

The landlord gave the following testimony; the tenant's children damaged a window and broke a mailbox lock. The landlord is seeking the recovery of costs for those items in the amount of \$348.10. The landlord further advised that the tenant has submitted a cheque in the full amount for these costs however, it was a personal cheque and the landlord is erring on the side of caution by proceeding with this hearing in case the cheque does not clear.

Analysis

I accept the landlord's undisputed testimony. The landlord provided documentary evidence to support his claim. As for the monetary order, I find that the landlord has established a claim for \$348.10. The landlord is also entitled to recovery of the \$50.00 filing fee. I grant the landlord an order under section 67 for the balance due of \$398.10. This order may be filed in the Small Claims Division of the Provincial Court and enforced as an order of that Court.

Conclusion

The landlord is granted a monetary order for \$398.10.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Residential Tenancy Act*.

Dated: June 27, 2012.

Residential Tenancy Branch