



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNR, MNSD, FF

Introduction

This hearing dealt with an application by the landlord for an order of possession, a monetary order and an order authorizing the landlords to retain the security deposit in partial satisfaction of the claim. Despite having been personally served with the application for dispute resolution and notice of hearing on May 27, the tenant did not participate in the conference call hearing.

At the hearing, the landlord advised that the tenant had vacated the rental unit. The landlord withdrew her claim for an order of possession and the hearing proceeded to address only the claim for a monetary order and the claim against the security deposit.

Issue to be Decided

Is the landlord entitled to a monetary order as claimed?

Background and Evidence

The landlord's undisputed evidence is as follows. The tenancy began on June 1, 2011 at which time the tenant paid a \$350.00 security deposit. The tenant was obligated to pay \$700.00 each month in rent and failed to pay any rent in the month of May.

Analysis

I accept the landlord's undisputed testimony and I find that the tenant was obligated to pay \$700.00 in rent for the month of May and that he failed to make any payment whatsoever. I award the landlord \$700.00 as well as an additional \$50.00 which represents the filing fee paid to bring this application. I order the landlord to retain the \$350.00 security deposit in partial satisfaction of the claim and I grant the landlord a monetary order under section 67 for the balance of \$400.00. 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 \$400.00 and will retain the security deposit.

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 14, 2012

Residential Tenancy Branch