



# Dispute Resolution Services

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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 pursuant to the *Residential Tenancy Act* for orders as follows:

1. A monetary order pursuant to Section 67;
2. An Order of Possession pursuant to Section 55;
3. An Order to retain the security and/or pet deposit pursuant to Section 38; and
4. An Order to recover the filing fee pursuant to Section 72.

I accept that the tenants were properly served with the Notice to End Tenancy by way of registered mail and posted to the rental unit door.

I accept that the tenants were properly served with the Application for Dispute Resolution hearing package by way of registered mail.

The tenants did not appear. The landlord was given full opportunity to be heard, to present evidence and to make submissions.

On the basis of the solemnly sworn evidence presented at the hearing a decision has been reached.

**Issue(s) to be Decided**

Whether the landlord has cause to end this tenancy and receive an Order of Possession and whether the landlord is entitled to monetary order for unpaid rent and recovery of the filing fee.

**Background and Findings**

**Order of Possession**

The landlord submits that the tenants have vacated the rental unit and he no longer requires an Order of Possession.

**Monetary Order**

***Rental Arrears***

Based on the undisputed evidence of the landlord I find that the landlord has met the burden of proving that there are rental arrears. I find the landlord is entitled to recovery of those arrears. I will award the landlord a monetary order for rental arrears in the sum of \$1,320.00 representing \$620.00 owing for April 2012 and \$700.00 owing for May 2012.

The landlord has also supplied evidence that the tenants smashed the glass door on the stove rendering it inoperable and that the broke the trim on the door. The landlord submits that a new stove will cost \$445.76 and the door trim \$100.00. Based on the undisputed evidence of the landlord I will allow the landlord a monetary award in the sum of \$545.76 for these items.

***Security Deposit***

I find further that the landlord is entitled to retain the security deposit and interest to the date of this decision in partial satisfaction of the rental arrears.

***Filing Fees***

I find that the landlord is entitled to recover the filing fees paid for this application.

***Calculation of total Monetary Award***

Monetary Award	\$1,865.76
Filing Fees for the cost of this application	50.00
Less Security Deposit (no interest accrued)	-450.00
Total Monetary Award	\$1,465.76

**Conclusion**

The landlord is provided with a formal copy of an order for the total monetary award as set out above. This is a final and binding Order enforceable as any Order of the Provincial Court of British Columbia.

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 07, 2012.

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Residential Tenancy Branch