



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

Decision

Dispute Codes:

OPR, MNR, FF

Introduction

This hearing dealt with an Application for Dispute Resolution by the landlord for an Order of Possession and a monetary order for rental arrears based on a Ten Day Notice to End Tenancy for Unpaid Rent dated May 2, 2012.

Both parties appeared at the hearing and gave evidence.

At the outset of the hearing, the landlord advised that the tenant vacated on May 31, 2012. Therefore the request for an Order of Possession is now moot. However, the hearing proceeded with respect to the monetary claim.

Issue(s) to be Decided

The issue to be determined, based on the testimony and evidence, is whether or not the landlord is entitled to monetary compensation for rental arrears owed.

Background and Evidence

The landlord testified that the tenancy began in September 2011 and the current rent was \$2,700.00. A security deposit of \$1,320.00 was paid. The landlord testified that in May 2012 the tenant fell into arrears and was issued a Notice to End Tenancy. The landlord submitted a copy of the Ten Day Notice to End Tenancy for Unpaid Rent and a copy of the tenancy agreement into evidence.

The landlord testified that the tenant had accrued \$2,700.00 in arrears owed for May 2012, did not pay any portion and vacated, without surrendering the keys. The landlord was seeking a monetary order for rental arrears.

Analysis

Based on the testimony of the landlord, I find that the tenant was served with a Notice to End Tenancy for Unpaid Rent. I find that the tenant has not paid the outstanding rent, nor did the tenant apply to dispute the Notice.

Given the above, I find that the landlord is entitled to a monetary award of \$2,750.00 comprised of rental arrears of \$2,700.00 and the \$50.00 fee paid by the landlord for this application.

I order that the landlord retain the security deposit of \$1,320.00 in partial satisfaction of the claim leaving a balance due of \$1,430.00.

Conclusion

I hereby grant the Landlord an order under section 67 for \$1430.00. This order must be served on the Respondent and may be filed in the Provincial Court (Small Claims) and enforced as an order of that Court.

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 04, 2012.

Residential Tenancy Branch