



# 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 based on the Notice to End Tenancy for Unpaid Rent dated June 11, 2012 and a monetary order for rent owed.

Although served with the Application for Dispute Resolution and Notice of Hearing in person on July 17, 2012, the tenant did not appear.

At the outset of the hearing the landlord stated that they are no longer seeking an Order of Possession as the tenant vacated the unit on July 17, 2012. The landlord still seeks a monetary order claiming accrued rental arrears and late fees in the amount of \$1,295.00.

### **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 arrears.

### **Background and Evidence**

The landlord testified that the tenancy began in 2008, at which time the tenant paid a security deposit of \$300.00. The landlord testified that when the tenant fell into arrears and failed to pay the overdue amount by June 11, 2012, a 10-Day Notice to End Tenancy for Unpaid Rent was issued and served by posting it on the door the same day. The landlord submitted into evidence a copy of the 10-Day Notice to End Tenancy dated June 11, 2012, a copy of the tenancy agreement and a copy of the tenant's ledger. The landlord testified that the tenant then failed to pay rent for July 2012, making the total arrears owed \$1,295.00.

### **Analysis**

Based on the testimony of the landlord, I find that the tenant was served with a Notice to End Tenancy for Unpaid Rent by posting it on the door. The tenant has not paid the outstanding rent and did not apply to dispute the Notice.

I find that the landlord has established a total monetary claim of \$1,345.00, comprised of rent of \$1,295.00 for rental arrears and the \$50.00 fee paid by the landlord for this application. I order that the landlord retain the security deposit of \$300.00 in partial satisfaction of the claim leaving a balance due of \$1,045.00.

**Conclusion**

I hereby grant the Landlord an order under section 67 for \$1,045.00. 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: August 07, 2012.

---

Residential Tenancy Branch