



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNR, MNSD, MNDC, FF

Introduction

This hearing dealt with an application by the landlords for a monetary order and an order authorizing them to retain the security deposit. Both parties participated in the conference call hearing.

Issue to be Decided

Are the landlords entitled to a monetary order as claimed?

Background and Evidence

The facts were not in dispute. The landlords acquired the rental unit October 1, 2011 and the tenancy ended at the end of June 2012. The tenancy agreement was set for a fixed term which was to end on September 30, 2012. Rent was set at \$1,050.00 per month and the tenant had paid a \$550.00 security deposit which was transferred from the previous owner to the landlords.

The tenant's rent cheque for the month of June was returned by the bank for insufficient funds. The tenant left behind a mattress and other items which the landlords paid \$95.20 to have removed.

The landlords seek to recover \$1,050.00 in unpaid rent for June, \$1,050.00 in liquidated damages, \$50.00 in NSF fees, \$95.20 for the cost of removing abandoned items and \$50.00 for the cost of filing their application for a total of \$2,295.20. The tenant agreed that she owed the landlords the amount claimed.

Analysis

As the tenant agreed that she owed the landlords the amount claimed, I award the landlords \$2,295.20. I note that I have made this award on the basis of the tenant's agreement rather than upon the landlords' legal entitlement.

I order the landlords to retain the \$525.00 security deposit in partial satisfaction of the claim and I grant them a monetary order under section 67 for the balance of \$1,770.20. This order may be filed in the Small Claims Division of the Provincial Court and enforced as an order of that Court.

Conclusion

The landlords are granted a monetary order for \$1,770.20 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: September 19, 2012

Residential Tenancy Branch