



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDC, MNR, MNSD, OPR, FF

Introduction

This hearing dealt with an Application for Dispute Resolution by the Landlord for an order of possession based on unpaid rent, a monetary order for unpaid rent, an order to retain the security deposit in partial satisfaction of the claim and to recover the filing fee for the Application.

The Landlord appeared and at the outset of the hearing explained that the Tenant had vacated the rental unit. Therefore, an order of possession was not required.

The Landlord requested a monetary order for unpaid rent. The Landlord testified that the Tenant paid portions of the rent some months and did not pay all the rent. However, the Landlord has simply provided some receipts for evidence and did not provide a monetary worksheet with a breakdown of what amounts were paid or what amounts were due at the end of a particular month.

Furthermore, the Landlord did not provide a copy of the 10 day Notice to End Tenancy, or the Tenancy Agreement indicating what security deposit has been paid.

Therefore, I am dismissing the Landlord's Application with leave to reapply, as there is insufficient evidence before to make a determination on the amount of rent owed, or the security deposit paid.

I am also providing the Landlord with a Guidebook to the Act for his future reference.

This decision is final and binding on the parties, except as otherwise provided under the Act, and 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: October 15, 2012.

Residential Tenancy Branch