



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 was scheduled to deal with a landlord's application for an Order of Possession for unpaid rent and a Monetary Order for unpaid rent, and, authorization to retain the security deposit. The tenant did not appear at the hearing. The landlord verbally provided a registered mail tracking number as proof of service. The landlord testified that the registered mail was addressed to the tenant at the rental unit address and that a search of the tracking number showed that it was successfully delivered on September 28, 2012. I was satisfied the landlord served the hearing documents upon the tenant in a manner that complies with the Act and I proceeded to hear from the landlord without the tenant present.

The landlord stated that the tenant vacated the rental unit September 30, 2012. As an Order of Possession is no longer required I do not provide one with this decision.

Issue(s) to be Decided

Is the landlord entitled to a Monetary Order for unpaid rent?

Is the landlord authorized to retain the security deposit?

Background and Evidence

The landlord testified that the tenant paid a security deposit of \$350.00 and was required to pay monthly rent of \$650.00. On September 9, 2012 the landlord issued a 10 Day Notice to End Tenancy for Unpaid Rent (the Notice) indicating the tenant owed \$2,615.00 in rent as of September 1, 2012. The landlord provided a ledger to document how that amount was calculated.

During the hearing the landlord stated that he would be satisfied to receive authorization to retain the security deposit as he did not anticipate that a Monetary Order would be satisfied by the tenant.

Analysis

Based upon the evidence before me, including the landlord's verbal testimony, the 10 Day Notice, and the ledger, I am satisfied the tenant owes the landlord at least the amount of the security deposit in unpaid rent. Accordingly, I grant the landlord's request and authorize the landlord to retain the tenant's security deposit.

Conclusion

The landlord has been authorized to retain the tenant's 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: October 25, 2012.

Residential Tenancy Branch