



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes FF, MNSD, MNDC, OPR

Introduction

Some documentary evidence and written arguments has been submitted prior to the hearing. I have thoroughly reviewed all submissions.

I also gave the applicant the opportunity to testify at the hearing.

The applicant testified that the respondent was served with notice of the hearing by registered mail that was mailed on October 26, 2012; however the respondent did not join the conference call that was set up for the hearing.

All testimony was taken under affirmation.

Issue(s) to be Decided

This is a request for an Order of Possession based on a Notice to End Tenancy for nonpayment of rent, a request for a Monetary Order for \$2050.00, and a request for recovery of the \$50.00 filing fee

Background and Evidence

The applicant testified that:

- This tenancy began on January 1, 2012 with a monthly rent of \$850.00, and a security deposit of \$425.00 was paid at that time.
- In September 2012 the tenant failed to pay the full rent, and there is still \$350.00 rent outstanding for September 2012.
- In October 2012 the tenant failed to pay any rent, and therefore on October 15, 2012 a 10 day Notice to End Tenancy was posted on the tenant's door.
- The tenant failed to pay any further rent and failed to comply with that notice, and therefore on October 23, 2012 they applied for Dispute Resolution.

- The tenant subsequently vacated the rental unit on November 17, 2012, and therefore they no longer require an Order of Possession.

They are therefore at this time requesting a Monetary Order as follows:

Rent outstanding for September 2012	\$350.00
Rent outstanding for October 2012	\$850.00
Rent outstanding for November 2012	\$850.00
Filing fee	\$50.00
Total	\$2100.00

Analysis

It is my finding that the landlord has shown that there is a total of \$2050.00 in rent outstanding to the end of November 2012 and therefore I allow the full amount claimed.

I also order recovery of the filing fee.

Conclusion

The applicant withdrew the request for an Order of Possession as they now have possession of the rental unit.

I have allowed the full monetary claim of \$2100.00 and I therefore order that the landlords may retain the full security deposit of \$425.00, and I have issued a Monetary Order in the amount of \$1675.00.

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: November 27, 2012.

Residential Tenancy Branch

