



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, MT, MNSD

Introduction

This was the hearing of applications by the tenant and by the landlord. The tenant applied to cancel a 10 day Notice to End Tenancy for unpaid rent. The landlord applied for an order to retain the tenant's security deposit. The hearing was conducted by conference call. The landlord called in and participated in the hearing. The tenant did not participate although this was the hearing of her own application and she had notice of the hearing.

Issue(s) to be Decided

Is the landlord entitled to an order to retain the tenant's security deposit?

Background and Evidence

The tenant moved out of the rental unit and the tenancy ended before she filed her application for dispute resolution on September 27, 2012. There is no basis for the tenant's application to cancel the Notice to End Tenancy for unpaid rent and in the absence of an appearance by the tenant her application is dismissed without leave to reapply.

The landlord testified that the tenant did not pay rent for the month of September in the amount of \$550.00 and there are arrears of rent for August outstanding in the amount of \$140.00 for a total of \$690.00. the landlord requested an order to retain the tenant's security deposit in the amount of \$275.00 in full satisfaction of its claim for unpaid rent.

Conclusion

Based on the landlord's documentary evidence and testimony at the hearing I find that there is \$690.00 due to the landlord for unpaid rent for August and September. I order that the landlord retain the tenant's security deposit in the amount of \$275.00 in full and final satisfaction of the landlord's claim for unpaid rent. The landlord did not request

payment of a filing fee for this application and I make no order with respect to the filing fee.

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 01, 2012.

Residential Tenancy Branch