

DECISION

Dispute Codes MND, MNR, MNDC, MNSD, O, FF

Introduction

This is an application filed by the Landlord for a monetary order for damage to the unit, site or property, for unpaid rent or utilities, for money owed or compensation for damage or loss, to keep all or part of the security and pet damage deposits and the recovery of the filing fee.

The Landlord attended the hearing by conference call and gave undisputed testimony. The Tenant did not attend and did not submit any documentary evidence. The Landlord states that both Tenants were served by Canada Post Registered Mail on September 18, 2012 and has submitted the Customer Receipt with the tracking no. as confirmation. As such, I find that the Tenants were properly served with the notice of hearing and evidence submitted.

Issue(s) to be Decided

Is the Landlord entitled to a monetary order?

Is the Landlord entitled to retain the security and pet damage deposits?

Background, Evidence and Analysis

This Tenancy began on September 1, 2011 on a fixed term tenancy ending on August 31, 2012 and then ends as shown by the submitted copy of the signed tenancy agreement. The monthly rent was \$1,250.00 payable on the 1st of each month and a security deposit of \$625.00 and a pet damage deposit of \$250.00 was paid. The Landlord states that the Tenant surrendered \$350.00 for the cleaning charge at the end of the tenancy and as such withdraw that portion of the claim.

The Landlord seeks a monetary claim of \$1,800.00. This consists of \$1,550.00 for unpaid rent, \$150.00 for NSF charges and \$100.00 for late fee charges as shown in the submitted Tenant Ledger.

I accept the undisputed evidence of the Landlord and find that a claim for \$1,800.00 has been established by the Landlord. The Landlord is also entitled to recovery of the \$50.00 filing fee. I order that the Landlord may retain the remaining \$525.00 combined

security and pet damage deposit in partial satisfaction of the claim and I grant a monetary order under section 67 for the balance due of \$1,325.00. This order may be filed in the Small Claims Division of the Provincial Court and enforced as an order of that Court.

Conclusion

The Landlord is granted a monetary order for \$1,325.00.

The Landlord may retain the remaining \$525.00 combined security and pet damage deposits.

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: December 04, 2012.

Residential Tenancy Branch