



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

Decision

Dispute Codes:

OPC, MNR, MNDC,FF

Introduction

This hearing dealt with an Application for Dispute Resolution by the landlord for an Order of Possession based on a One-Month Notice to End Tenancy for Cause dated October 29, 2012.

At the outset of the hearing, the landlord advised that the tenant had vacated the rental unit. Therefore the request for an Order of Possession is now moot.

Although served with the Application for Dispute Resolution and Notice of Hearing in person, the tenant did not appear.

Issue(s) to be Decided

Is the landlord s entitled to monetary compensation for rental arrears and damage owed?

Background and Evidence

The landlord testified that the tenancy began on September 1, 2012 and the rent is \$750.00. A security deposit of \$375.00 was paid. The landlord testified that the tenant fell into arrears for \$550.00 for the month of November and also failed to pay \$120.00 for damaged blinds in the unit. A copy of the tenancy agreement had been submitted into evidence.

The landlord was seeking a monetary order for the rental arrears and damaged blinds in the total \$670.00 plus the \$50.00 cost of filing.

Analysis

Based on the evidence before me, I find that the landlord is entitled to a monetary award of \$720.00 comprised of rental arrears of \$550.00, replacement blinds costing \$120.00 and the \$50.00 fee paid by the landlord for this application.

I order that the landlord retain the security deposit of \$375.00 in partial satisfaction of the claim leaving a balance due of \$345.00.

I hereby grant the Landlord an order under section 67 for \$345.00. This order must be served on the Respondent and may be filed in the Provincial Court (Small Claims) and enforced as an order of that Court.

Conclusion

The landlord was granted a monetary order for rental arrears and damages but there was no need for an Order of Possession as the tenant had vacated prior to the hearing.

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 20, 2012.

Residential Tenancy Branch