



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNR, MNSD, MNDC, FF

Introduction

A substantial amount of documentary evidence, photo 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(s) testified that the respondent was served with notice of the hearing by personal service on October 26, 2012; however the respondent(s) 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 a monetary order for \$4398.39, a request for recovery of the \$50.00 filing fee, and a request to retain the full security deposit of \$1000.00 towards the claim.

Background and Evidence

The applicant testified that:

- This tenancy began on November 1, 2010 with a monthly rent of \$1300.00.
- The tenant paid a security deposit of \$1000.00 on October 25, 2010.
- The tenant vacated the rental unit in April 2012 however the tenant paid no rent for the months of February 2012, March 2012, and April 2012.
- The tenant also broke a microwave oven which cost \$498.39 to replace.
- The tenant admitted to all this debt and agreed to make payments but failed to do so.

The applicant is therefore requesting an order as follows:

Rent outstanding for February 2012	\$1300.00
Rent outstanding for March 2012	\$1300.00
Rent outstanding for April 2012	\$1300.00
Replace damaged microwave	\$498.39
Filing fee	\$50.00
Total	\$4448.39

Analysis

It is my finding that the landlord has shown that the tenant failed to pay rent for the month of February 2012 through April 2012 and therefore I allow the claim for \$3900.00 in outstanding rent.

It's also my finding that the microwave oven in the rental unit, which was fairly new, was damaged beyond repair and as a result needed to be replaced. I therefore also allow the claim for replacing the microwave.

I also allow the request for recovery of the filing fee.

Conclusion

I have allowed the landlords full claim of \$4448.39 and I therefore order that the landlord may retain the full security deposit of \$1000.00, and have issued a monetary order in the amount of \$3448.39.

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: January 21, 2013

Residential Tenancy Branch

