



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

**Dispute Codes**      MNR, FF

### **Introduction**

This hearing dealt with an application by the landlord pursuant to the *Residential Tenancy Act* for orders as follows:

1. A monetary Order pursuant to Section 67; and
2. Recovery of the filing fee paid for this application.

Based on the undisputed evidence of the landlord I accept that the tenant was properly served with the Application for Dispute Resolution hearing package by way of personal service on October 25, 2012 at 4:15 p.m.

The tenant did not appear. The landlord was given full opportunity to be heard, to present evidence and to make submissions.

On the basis of the solemnly sworn evidence presented at the hearing a decision has been reached.

### **Issue(s) to be Decided**

Is the landlord is entitled to monetary order sought?

### **Background and Findings**

#### **Monetary Order**

Based on the undisputed evidence of the landlord I find that there are rental arrears in the sum of \$750.00 as set out in the details contained in the Application for Dispute Resolution filed by the landlord.

The landlord has also requested recovery of the filing fee paid for this application and I find this to be appropriate as the landlord has been successful.

***Security Deposit***

The landlord holds a security deposit of \$400.00 paid in 2012 with no interest having accrued. Although the landlord's application does not seek to retain the deposit, using the offsetting provisions of the *Residential Tenancy Act*, I will allow the landlord to retain the deposit and interest in partial satisfaction of the monetary award.

***Calculation of total Monetary Award***

Rental Arrears	\$750.00
Filing Fees	50.00
Less Security Deposit	-400.00
<b>Total Monetary Award in Favour of Landlord</b>	<b>\$400.00</b>

**Conclusion**

The landlord is provided with a formal copy of an order for the total monetary award as set out above. This is a final and binding Order enforceable as any Order of the Provincial Court of British Columbia.

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 23, 2013

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Residential Tenancy Branch

