



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Remax Kelowna Property Mgmt.  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      OPB, MNR, MNSD, FF

### Introduction

Some documentary 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 testified that the respondent(s) were served with notice of the hearing by registered mail that was mailed on January 24th 2013; 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 an application for an Order of Possession, an application for a Monetary Order for \$3450.00, and a request for recovery of the \$50.00 filing fee.

### Background and Evidence

The applicant testified that:

- The tenants vacated the rental unit on February 2, 2013, and therefore they no longer require an order of possession.
- At the end of the tenancy however the tenants still had rent outstanding totaling \$1800.00 to the end of January 2013 and therefore they are requesting an order for that outstanding rent.
- They are no longer requesting the February 2013 rent.
- They also request recovery of the \$50.00 filing fee and request that they be allowed to keep the full security deposit towards the claim.

Analysis

As stated above the landlords no longer require an order of possession.

I have reviewed the rent ledger for this tenancy and it is my finding that the landlord has shown that at the end of the tenancy there was a total of \$1800.00 in outstanding rent, and therefore I allow the landlords request for an order for the outstanding rent.

The landlords have abandoned the claim for February 2013 lost rental revenue.

I allow the request for recovery of the \$50.00 filing fee

Conclusion

I have allowed the landlords full reduced monetary claim of \$1850.00 and I therefore order that the landlords may retain the full security deposit of \$825.00, and have issued a monetary order in the amount of \$1025.00.

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: February 18, 2013

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Residential Tenancy Branch

