



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      OPC, OPR, MNDC, O

### Introduction

This was a hearing with respect to the landlord's application for an order for possession and a monetary order. The hearing was conducted by conference call. The landlord attended the conference call. The tenant did not participate although she was served with the application and Notice of Hearing sent by registered mail on February 22, 2013.

### Issue(s) to be Decided

Is the landlord entitled to an order for possession?

Is the landlord entitled to a monetary order and if so, in what amount?

### Background and Evidence

The rental unit is a suite in the landlord's house in Kimberley. The tenancy began on January 1, 2013 for a three month term ending March 31, 2013. Monthly rent is \$750.00, payable on the first of each month. The tenant paid a \$375.00 security deposit on October 1, 2012.

On February 1, 2013 the landlord served the tenant with a one month Notice to End Tenancy for cause because the tenant was repeatedly late paying rent and because she smoked in the rental unit and kept a pet, contrary to the terms of the tenancy agreement. The Notice was posted to the door of the rental unit. The tenant did not apply to dispute the Notice.

The landlord testified that the tenant moved out of the rental unit without giving notice and without providing a forwarding address. She left sometime between February 26<sup>th</sup> and March 9<sup>th</sup>. The tenant paid only part of the rent for January; \$15.00 is owed for January. There is \$20.00 unpaid from February and no rent was paid for March. The tenant has caused extensive damage to the rental unit and repairs and cleaning will be necessary before it can be re-rented.

Analysis and conclusion

The landlord has possession of the rental unit and no longer requires an order for possession. The landlord has established that there is \$875.00 outstanding for rent, including March rent. The landlord is entitled to recover the \$50.00 filing fee for his application for a total award of \$925.00. I order that the landlord retain the security deposit of \$375.00 in partial satisfaction of this award and I grant the landlord a monetary order under section 67 for the balance of \$550.00. This order may be registered in the Small Claims Court and enforced as an order of that court.

The landlord has leave to apply for a further monetary award when he has ascertained his costs for cleaning and repairs to the rental unit and any loss of revenue.

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: March 20, 2013

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Residential Tenancy Branch

