



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Capreit
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPR, 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(s) testified that the respondent was served with notice of the hearing by registered mail that was mailed on March 21, 2013; however the respondent 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 an Order of Possession based on a Notice to End Tenancy for nonpayment of rent, a request for a Monetary Order for \$1062.30, and a request for recovery of the \$50.00 filing fee.

Background and Evidence

The applicant testified that:

- A security deposit of \$475.00 was paid on January 9, 2006, and the tenancy began on February 15, 2006.
- The tenant failed to pay the March 2013 rent, and therefore on March 4, 2013 the tenant was served with a 10 day Notice to End Tenancy.
- The tenant vacated the rental unit on March 21, 2013, however she only paid \$300.00 of the outstanding rent.

- They are therefore no longer requesting an Order of Possession; however they are requesting an order for the outstanding rent totaling \$862.30.
- They also request recovery of the \$50.00 filing fee.

Analysis

It's my finding that the landlords have shown that there is still a total of \$862.30 in rent outstanding and therefore I allow the request for an Order for that outstanding rent.

I also Order recovery of the \$50.00 filing fee.

Conclusion

I have allowed the landlords full reduced claim of \$912.30 and I therefore order that the landlords may retain the full security deposit of \$475.00 plus interest of \$16.76 for a total of \$491.76, and I've issued a Monetary Order in the amount of \$420.54.

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: April 16, 2013

Residential Tenancy Branch