



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD, FF

Introduction

This hearing was convened in response to an application filed by the landlord seeking to retain the security deposit and recover the filing fee for the cost of this application.

The tenant did not appear. The landlord gave evidence that the tenant was served with Notice of this hearing and claim by way of registered mail on March 8, 2013. As this is an approved method of service under the *Residential Tenancy Act* I am satisfied that the tenant has had notice of this claim.

The landlord gave evidence under oath.

Issue(s) to be Decided

Should the landlord be allowed to retain the security deposit and recover the filing fee paid for his application?

Background and Evidence

The landlord testified that the tenant gave notice on February 10, 2013 that she intended to vacate at the end of February and she moved out. The landlord submits that he received the tenant's forwarding address on March 2, 2012 and he filed this application on March 8, 2013. The landlord is seeking to retain the security deposit of \$310.00 in lieu of proper notice and he is seeking recovery of the filing fee paid for this application.

Analysis

Based on the undisputed evidence of the landlord I find that he is entitled to retain the \$310.00 deposit paid in June 2012 (no interest accrued) as claimed, in lieu of rent due

to the short notice provided by the tenant. Having been successful in this claim I will also allow the landlord to recover the security deposit paid for this application.

Conclusion

The landlord is provided a monetary Order in the sum of \$50.00 to recover the filing fee paid for this application. This is a final 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: April 08, 2013

Residential Tenancy Branch