



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Advanced Property Management Inc.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes MNDC, MNR, MNSD, FF

Introduction

This is an application filed by the Landlord for a monetary order for money owed or compensation for damage or loss, for unpaid rent, to keep all or part of the security deposit and recovery of the filing fee.

The Landlord attended the hearing by conference call and gave undisputed testimony. The Tenant did not attend or submit any documentary evidence. The Landlord states that the Tenant was served with the notice of hearing package and submitted documentary evidence by Canada Post Registered Mail on February 8, 2013 and has submitted a copy of the Customer Receipt as confirmation. I accept the undisputed evidence and find that the Tenant has been properly served with the notice of hearing package and the submitted documentary evidence by Canada Post Registered Mail on February 8, 2013.

Issue(s) to be Decided

Is the Landlord entitled to a monetary order?

Is the Landlord entitled to retain the security deposit?

Background and Evidence

This Tenancy began on June 1, 2012 on a fixed term tenancy ending on November 30, 2012 and then thereafter on a month to month basis as shown by the submitted copy of the signed tenancy agreement. The monthly rent was \$700.00 payable on the 1st day of each month and a security deposit of \$350.00 was paid. The Landlord states that the Tenant gave notice to vacate the rental unit on January 3, 2013 via email after receiving a 10 day notice to end tenancy issued for unpaid rent. The Tenant indicated in the email that he would be vacated by January 4, 2013.

The Landlord seeks a monetary order for \$761.89. This consists of \$4.95 for December rent arrears, \$25.00 for a December late rent fee, \$541.94 for January rent arrears (prorated as rental was re-rented on January 25, 2013), \$25.00 for a January late rent fee, \$90.00 for rental cleaning charges and \$75.00 for disposal charges of abandoned items. The Landlord has provided documentary evidence of the email correspondence between the Landlord and Tenant, a copy of the signed tenancy agreement and a copy of a new tenancy agreement with a new tenant, invoices for each of the charges and the Tenant's forwarding address in writing received on January 25, 2013.

Analysis

I accept the undisputed testimony of the Landlord and find that a monetary claim of \$761.89 has been established based upon the undisputed testimony and the documentary evidence submitted. The Landlord is also entitled to recovery of the \$50.00 filing fee. I order that the Landlord retain the \$350.00 security deposit in partial satisfaction of the claim and I grant a monetary order for the balance due of \$461.89. This order may be filed in the Small Claims Division of the Provincial Court and enforced as an order of that Court.

Conclusion

The Landlord is granted a monetary order for \$461.89.
The Landlord may retain the security deposit.

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 30, 2013

Residential Tenancy Branch