



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Codes: MNR, MNSD, FF

### Introduction:

This was an application by the landlord for an Order for Possession, a Monetary Order and an Order to retain the security deposit in partial satisfaction of the monetary claim. Only the landlords attended the hearing.

### Issues:

Is the landlord entitled to an Order for Possession and Monetary Order?

### Background and Evidence:

At the outset the landlords testified that they discovered the tenant had vacated the unit by May 17, 2013. The landlords testified that the tenancy began on October 1, 2012 with rent in the amount of \$ 1,500.00 due in advance on the first day of each month. The tenant paid a security deposit of \$ 750.00 on September 17, 2012. The landlords testified that they served the Notice to End the tenancy on May 3, 2013 by posting it to the tenant's door on May 3, 2013 and the dispute resolution package by putting it in the tenant's mailbox on May 15 and sending it by registered mail on May 15, 2013. The landlords testified that they inspected the mailbox on May 17, 2013 and discovered that the documents had been taken by the tenant. The registered mail package was returned to the landlords unclaimed on June 7, 2013. The landlords abandoned their application for an Order for Possession however claimed for the loss of the rent for May 2013 amounting to \$ 1,500.00, for twenty hours of cleaning at \$ 125.00 and the cost of changing the locks at \$ 25.00 as the tenant had only returned one key notwithstanding several requests.

### Analysis:

Pursuant to section 71(2) of the Act and the evidence of the landlords I find that the dispute package has sufficiently been served by May 17, 2013. I find that the landlords have established a claim for unpaid rent totalling \$ 1,500.00 for the month of May 2013. I allow the landlords' claim for cleaning expenses at \$ 125.00 and the cost of changing

the lock at \$ 25.00. The landlords are entitled to recover the \$50.00 filing fee for this application for a total claim of \$ 1,700.00.

Conclusion:

I have dismissed the landlords' claim for an Order for Possession. I order that the landlords retain the deposit and interest of \$ 750.00 and I grant the landlords an order under section 67 for the balance due of **\$ 950.00**. This order may be filed in the Small Claims Court and enforced as an order of that Court. This Decision and all Orders must be served on the tenant as soon as possible.

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: June 10, 2013

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Residential Tenancy Branch