



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: OPR, MNR, MNSD, FF

Introduction

This hearing was scheduled in response to the landlord's application for an order of possession / a monetary order as compensation for unpaid rent / retention of the security deposit / and recovery of the filing fee. The landlord attended and gave affirmed testimony.

Despite in-person service of the application for dispute resolution and notice of hearing (the "hearing package") on June 25, 2013, the tenant did not appear. The landlord testified that the tenant vacated the unit early in July 2013 without contacting him or providing a forwarding address. Accordingly, the landlord no longer seeks an order of possession.

Issue(s) to be Decided

Whether the landlord is entitled to any of the above under the Act, Regulation or tenancy agreement.

Background and Evidence

Pursuant to a written tenancy agreement, the tenancy began on April 19, 2013. Monthly rent of \$550.00 was due and payable in advance on the first day of each month, and a security deposit of \$275.00 was collected.

Arising from rent which remained unpaid when due on May 1, 2013, the landlord issued a 10 day notice to end tenancy for unpaid rent dated May 24, 2013. The notice was personally served on that same date. A copy of the notice was submitted in evidence. Subsequently, the tenant made no further payment toward rent and vacated the unit in early July 2013. The landlord found that the unit required cleaning and certain repairs.

Analysis

The full text of the Act, Regulation, Residential Tenancy Policy Guidelines, Fact Sheets, forms and more can be accessed via the website: www.rto.gov.bc.ca

Based on the documentary evidence and the affirmed / undisputed testimony of the landlord, I find that the tenant was served with a 10 day notice to end tenancy for unpaid rent dated May 24, 2013. The tenant did not pay the outstanding rent within 5 days of receiving the notice, and did not apply to dispute the notice. Subsequently, the tenant vacated the unit in early July 2013.

As for the monetary order, I find that the landlord has established a claim of **\$1,700.00**:

\$550.00: *May rent*
\$550.00: *June rent*
\$550.00: *July rent*
\$50.00: *filing fee*

I order that the landlord retain the security deposit of **\$275.00**, and I grant the landlord a **monetary order** for the balance owed of **\$1,425.00** (\$1,700.00 - \$275.00).

Conclusion

Pursuant to section 67 of the Act, I hereby issue a **monetary order** in favour of the landlord in the amount of **\$1,425.00**. This order may be served on the tenant, filed in the Small Claims Court and enforced as an order of that Court.

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: July 18, 2013

Residential Tenancy Branch