



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

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

## **DECISION**

Dispute Codes      OPR, OPB, MNR, MNSD, FF

### Introduction

This is an application for an Order of Possession based on a Notice to End Tenancy for nonpayment of rent, a request for a Monetary Order for \$1703.50, and a request for recovery of the \$50.00 filing fee. Applicant is also requesting an Order allowing them to keep the full security deposit towards the claim.

Some documentary evidence and written arguments have 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 testified that the respondent(s) were served with notice of the hearing by personal service on June 19, 2013, however the respondent(s) did not join the conference call that was set up for the hearing.

All testimony was taken under affirmation.

### Issue(s) to be Decided

At the beginning of the hearing the landlord stated that they are no longer requesting an Order of Possession because the tenants have vacated the rental unit and returned possession to them.

The issue therefore is whether the landlord is entitled to a Monetary Order for outstanding rent totaling \$1703.50.

### Background and Evidence

Landlord testified that:

- This tenancy began July 1, 2012 with the monthly rent of \$825.00, and a \$412.50 security deposit was collected prior to the beginning of the tenancy.
- The tenants had fallen behind on the rent and therefore on May 10, 2013 a 10 day Notice to End Tenancy was posted on the tenants door.
- The tenants did not comply with the notice within the 10 day time frame however they subsequently vacated the rental unit on June 27, 2013.
- The tenants left with a substantial amount of rent still outstanding.
- They are therefore requesting a Monetary Order as follows:

April 2013 rent still outstanding	\$53.50
May 2013 rent outstanding	\$825.00
June 2013 rent outstanding	\$825.00
Filing fee	\$50.00
Total	\$1753.50

### Analysis

I have reviewed the landlords rent ledger's and it is my finding that the landlord has shown that at this time there is a total of \$1703.50 in rent outstanding to the end of June 2013 and therefore I allow the full amount claimed.

### Conclusion

I have allowed the full claim of \$1753.50 and I therefore order that the landlords may retain the full security deposit of \$412.50, and I've issued a Monetary Order in the amount of \$1341.00.

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

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Residential Tenancy Branch

