



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: MNR OPR MNSD FF

Introduction:

This hearing dealt with an application by the landlord pursuant to the Residential Tenancy Act for orders as follows:

- a) A monetary order pursuant to Section 67;
- b) An Order of Possession pursuant to Sections 46, and 55;
- c) An Order to retain the security deposit pursuant to Section 38; and
- d) An order to recover the filing fee pursuant to Section 72.

SERVICE:

The tenant did not attend. The landlord gave evidence that they served personally the tenant with the Notice to end Tenancy dated June 2, 2013 and on June 10, 2013 with the Application for Dispute Resolution and on June 11, 2013 with the faxed amendment to claim one month's rent and filing fee. I find that the tenant was properly served with the documents according to sections 88 and 89 of the Act.

Issue(s) to be Decided:

The tenant was issued a Notice to End Tenancy dated June 2, 2013 for unpaid rent. The landlord no longer seeks an Order of Possession as the tenant vacated on June 19, 2013 so the remaining issue is the entitlement to a Monetary Order for rental arrears and filing fee?

Background and Evidence:

The tenant did not attend although served with the Application/Notice of Hearing. The landlord was given opportunity to be heard, to present evidence and to make submissions. The undisputed evidence is that the tenancy commenced on July 1, 2012, rent is \$775 plus \$30 storage fee and a security deposit of \$387.50 was paid. The landlord is claiming the rental arrears of \$775 and to retain the security deposit to offset the amount owing. The tenant did not submit any documents to dispute the amount owing.

On the basis of the solemnly sworn evidence presented at the hearing, a decision has been reached.

Analysis

Monetary Order

I find that there are rental arrears in the amount of \$775 representing rental arrears for June 2013.

Conclusion:

I find the landlord is entitled to a monetary order as calculated below. I find the landlord is entitled to retain the security deposit to offset the rental amount owing and to recover filing fees paid for this application.

Calculation of Monetary Award:

| | |
|---|---------|
| Rental arrears June 2013 | 775.00 |
| Filing fee | 50.00 |
| Less security deposit (no interest 2012-13) | -387.50 |
| Total Monetary Order to Landlord | 437.50 |

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 03, 2013

Residential Tenancy Branch

