



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDC, MNR, MNSD, FF

Introduction

This hearing dealt with an application by the landlord for a monetary order and an order permitting retention of the security deposit in partial satisfaction of the claim. Although served with the Application for Dispute Resolution and Notice of Hearing by Registered Mail actually received on July 2, 2013, the tenant did not appear.

Issue(s) to be Decided

Is the landlord entitled to a monetary order and, if so, in what amount?

Background and Evidence

This month-to-month tenancy commenced September 2, 2012. The monthly rent of \$700.00 was due on the first day of the month. The tenant paid a security deposit of \$350.00.

On June 3, 2013, the landlord obtained an order of possession by direct request to the Residential Tenancy Branch. The landlord took steps to enforce the order and on June 12, 2013 the tenant vacated the rental unit.

The landlord was able to find a new tenant as of June 21.

The landlord claims the following:

| | |
|--|----------|
| Arrears of rent for May | \$100.00 |
| Overholding rent for June 1 to June 13 | 279.06 |
| Filing fee paid for direct request | 50.00 |
| Court fees for Writ of Possession | 120.00 |
| Court Bailiff fees | 157.50 |
| Lost of rental income for June 13 to June 21 | 209.97 |
| TOTAL | \$916.53 |

Analysis

I find that the landlord has established a total monetary claim of \$966.53 comprised of the costs itemized above and the \$50.00 fee paid by the landlord for this application. I

order that the landlord retain the deposit of \$350.00 in partial satisfaction of the claim and I grant the landlord an order under section 67 in the amount of \$616.54.

Conclusion

A monetary order in favour of the landlord has been made. If necessary, this order may be 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: August 28, 2013

Residential Tenancy Branch

