



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding METRO VANCOUVER HOUSING CORPORATION  
and [tenant name suppressed to protect privacy]

## **DECISION**

**Dispute Codes:** MNR 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 Sections 46 and 67;
- 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 provided evidence that the Application for Dispute Resolution was served by registered mail. It was verified online as successfully delivered. I find that the tenants were properly served with the documents according to section 89 of the Act.

### **Issue(s) to be Decided:**

Has the landlord proved on the balance of probabilities that the tenant owes rent and the amount? Is the landlord entitled to recover the 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 in 2002, the tenants gave notice to vacate on September 30, 2012 but did not pay September rent of \$900. They had a security deposit of \$401.22 (including the interest) and they gave signed permission for the landlord to retain this to offset the rent owing. The landlord claims on this application the balance of \$498.78 owed plus the filing fee. The tenants did not submit any dispute to the amount owing. The landlord filed a rent statement, the condition inspection report and the tenant's notice to end their tenancy as evidence.

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

**Analysis**

**Monetary Order:**

The onus of proof is on the landlord to prove that rent is owed and the amount owed. I find the landlord has satisfied the onus through oral testimony and the documentary evidence they filed. I find the tenants owe \$498.78 in rent arrears for September 2012.

**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:**

September 2012 rent	900.00
Filing fee	50.00
Less security deposit with interest signed over to the landlord on the condition inspection report	-401.22
Monetary Order to Landlord	548.78

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 07, 2013

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Residential Tenancy Branch

