



Dispute Resolution Services

Page: 1

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 the Notice to end Tenancy dated June 5, 2013 and the Application for Dispute Resolution were both served by registered mail. He provided verification of successful delivery from the postal service. I find that the tenant was 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 5, 2013 for unpaid rent. The landlord stated the tenant vacated on July 28, 2013 so an Order of Possession is not necessary. The remaining issue is whether the landlord is entitled to a Monetary Order for rental arrears and filing fee?

Background and Evidence:

The tenant did not attend. The landlord attended and was given opportunity to be heard, to present evidence and to make submissions. The undisputed evidence is that the tenancy commenced living in January 2010, a security deposit of \$600 and a pet damage deposit of \$600 were paid and rent is currently \$1370 a month. It is undisputed that the tenant owes \$540 rent for May 2013 and \$1370 for each of June and July 2013.

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 \$3280 representing rental arrears from May to July 31, 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:

Arrears May 540+1370 each June and July 2013	3280.00
Filing fee	50.00
Less security and pet deposits(no interest 2010-13)	-1320.00
Monetary Order to Landlord	2010.00

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: August 08, 2013

Residential Tenancy Branch