



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNR, MDSD & FF

Introduction

A hearing was conducted by conference call in the presence of the applicant and in the absence of the respondent although duly served. On the basis of the solemnly affirmed evidence presented at that hearing, a decision has been reached. All of the evidence was carefully considered.

I find that the Application for Dispute Resolution/Notice of Hearing was sufficiently served on the Tenant by mailing, by registered mail to the forwarding address provided by the tenant on July 12, 2013. With respect to each of the applicant's claims I find as follows:

Issue(s) to be Decided

The issues to be decided are as follows:

- a. Whether the landlord is entitled to an Order for Possession?
- b. Whether the landlord is entitled to A Monetary Order and if so how much?
- c. Whether the landlord is entitled to retain all or a portion of the security deposit/pet deposit?
- d. Whether the landlord is entitled to recover the cost of the filing fee?

Background and Evidence

The parties entered into a one year fixed term written tenancy agreement that provided that the tenancy would start on July 15, 2012 and end on July 31, 2013. The rent is \$850 per month payable on the first day of each month. The tenant paid a security deposit of \$425 on July 12, 2012.

On June 29, 2013 the tenant(s) advised the landlord by text message that she was vacating the rental unit at the end of June. The tenant failed to pay the rent for July. The landlord was able to rent the rental unit starting July 15, 2013 but lost rental income of \$425 for the first 15 days of July. .

Analysis

Analysis - Monetary Order and Cost of Filing fee

I determined the landlord is entitled to \$425 for loss of rent for the period July 1, 2013 to July 15, 2013. In addition the landlord is entitled to \$50 for the cost of carpet cleaning. In summary I ordered the tenant to pay to the landlord the sum of \$475 plus \$50 in respect of the filing fee for a total of \$525.

Security Deposit

I determined the security deposit plus interest totals the sum of \$425. I ordered the landlord may retain this sum thus reducing the amount outstanding under this monetary order to the sum of \$100.

It is further Ordered that this sum be paid forthwith. The applicant is given a formal Order in the above terms and the respondent must be served with a copy of this Order as soon as possible.

Should the respondent fail to comply with this Order, the Order may be filed in the Small Claims division of the Provincial 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 21, 2013

Residential Tenancy Branch

