



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Codes: OPR, MNR, MNDC, FF

Introduction:

This was an application by the landlord for an Order for Possession, a Monetary Order and an Order to retain the security deposit in partial satisfaction of the monetary claim. Only the landlord attended the application. At the outset the landlord advised that the tenants had vacated the unit and accordingly the landlord was only requesting a monetary Order.

Issues:

Is the landlord entitled to a Monetary Order?

Background and Evidence:

The landlord testified that he discovered the tenants had vacated the unit by October 4, 2013. The landlord testified that the tenancy began on July 14, 2013 with rent in the amount of \$ 750.00 due in advance on the first day of each month. The tenants paid a security deposit of \$ 375.00 on July 14, 2013. The landlord testified that he served the Notice to End the tenancy on September 3, 2013 by handing it to the tenants and the dispute resolution package also by handing it to the tenants on September 18, 2013. The landlord testified that the tenants owed \$ 250.00 in arrears for August and \$ 1,500.00 for September and October 2013.

Analysis:

Pursuant to the evidence of the landlord I find that the dispute package and the Notice to End Tenancy for non-payment were served on the tenants. The tenants have not paid all the outstanding rent. I find that the landlord has established a claim for unpaid rent totalling \$ 1,750.00. The landlord is entitled to recover the \$50.00 filing fee for this application for a total claim of \$ 1,800.00

.Conclusion:

I order that the landlord retain the deposit and interest of \$ 375.00 and I grant the landlord an order under section 67 for the balance due of **\$ 1,425.00**. This order may be filed in the Small Claims Court and enforced as an order of that Court. This Decision and all Order must be served on the tenants as soon as possible. I have dismissed all other claims.

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: October 21, 2013

Residential Tenancy Branch

