



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Bayside Property Services
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes MNR, FF, MNSD

Introduction

This hearing dealt with an application by the landlord for a monetary order and an order to retain the security deposit in partial satisfaction of the claim. Despite having been served with the application for dispute resolution and notice of hearing by registered mail on July 19, 2013, the tenants did not participate in the conference call hearing. The landlord gave affirmed evidence.

Issue to be Decided

Is the landlord entitled to a monetary order as claimed?

Background, Evidence and Analysis

The landlord's undisputed testimony is as follows. The tenancy began on February 1, 2012 and ended on July 10, 2013. The tenants were obligated to pay \$850.00 per month in rent in advance and at the outset of the tenancy the tenants paid a \$425.00 security deposit.

The landlord stated that the tenants had put a stop payment on the rent due for July 2013. The landlord stated that the tenants then vacated the unit on July 10, 2013 and did not return to participate in a move out condition inspection report. The landlord stated that the tenants did not provide proper notice to terminate their tenancy. The landlord advised that as of today's hearing the amount of unpaid rent and late fees as per their tenancy agreement is \$900.00. The landlord is seeking to recover this amount.

Based on the landlords testimony, documentation and the lack of disputing evidence from the tenants I find that the landlord is entitled to the loss of rent and fees as claimed. The landlord is also entitled to the recovery of the \$50.00 filing fee for a total award of \$950.00.

Conclusion

The landlord has established a claim for \$950.00. I order that the landlord retain the \$425.00 deposit in partial satisfaction of the claim and I grant the landlord an order under section 67 for the balance due of \$525.00. 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: October 28, 2013

Residential Tenancy Branch

