



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

Decision

Dispute Codes:

OPR, MNR, MNSD, FF

Introduction

This hearing was convened to deal with an Application for Dispute Resolution by the landlord for an order of possession and a monetary order for rent owed based on a Ten Day Notice to End Tenancy for Unpaid Rent.

However, at the outset of the landlord advised that the tenant vacated the unit on October 14, 2013, so an Order of Possession was no longer required.

Although served with the Application for Dispute Resolution and Notice of Hearing in person on October 16, 2013, the tenant did not appear.

Issue(s) to be Decided

Is the landlord entitled to monetary compensation for rental arrears owed?

Background and Evidence

The tenancy began in May 2010 and a security deposit of \$675.00 was paid. The current rent was \$1,350.00. The landlord submitted a copy of the Ten Day Notice to End Tenancy for Unpaid Rent. No detailed ledger of the tenant's rental account was submitted. However, the landlord testified that the tenant failed to pay the rental arrears owed for the month of October and was served in person with a 10-Day Notice to End Tenancy for Unpaid Rent. The landlord is seeking a monetary order claiming rental arrears in the amount of \$1,350.00.

Analysis

Based on the testimony of the landlord, I find that the tenant was served with a Notice to End Tenancy for Unpaid Rent. I find that the tenant has not paid the outstanding rent, nor did the tenant apply to dispute the Notice.

Given the above, I find that the landlord has established a total monetary claim of \$1,400.00 comprised of rental arrears rent of \$1,350.00 and the \$50.00 fee paid by the landlord for this application. I order that the landlord retain the security deposit of \$675.00 in partial satisfaction of the claim, leaving \$725.00 still outstanding to the landlord.

I hereby grant the landlord an order under section 67 for \$725.00. This order must be served on the Respondent and may be filed in the Provincial Court (Small Claims) and enforced as an order of that Court.

Conclusion

The landlord's application is successful and a monetary order for rental arrears is granted along with an order to retain the tenant's security deposit.

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: November 27, 2013

Residential Tenancy Branch

