



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding 0707892 BC Ltd  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      FF, MNDC, MNR, MNSD, OPR

### Introduction

This is an application for an Order of possession based on a Notice to End Tenancy for nonpayment of rent, a request for a Monetary Order for \$1480.67, a request to retain the full security deposit towards the claim, and a request for recovery of the filing fee.

Some documentary evidence and written arguments has been submitted by the parties prior to the hearing. I have thoroughly reviewed all submissions.

I also gave the parties the opportunity to give their evidence orally and the parties were given the opportunity to ask questions of the other parties.

The respondent declined to participate in the hearing other than to listen in to what was being said, he chose to give no evidence or information himself.

All testimony was taken under affirmation.

### Issue(s) to be Decided

The applicant had been requesting an Order of possession; however the tenant vacated the rental unit on November 8, 2013 and has returned possession of the unit to the landlord. The landlord therefore stated that he is no longer requesting an Order of Possession.

The remaining issue then is whether or not a Monetary Order should be issued against the respondent.

### Background and Evidence

The applicant testified that:

- This tenancy began on September 24, 2001 and at that time the tenant paid a security deposit of \$187.50.
- The rent is been raised numerous times over the years, however the most recent rent increase came into effect in August 2013 which raised the rent by \$17.75 to a total of \$484.39, however the tenant failed to pay the increased amount for the months of August 2013, and September 2013.
- The tenant failed to pay any rent whatsoever for the month of October 2013 and therefore on October 4, 2013, a 10 day Notice to End Tenancy was posted on the tenants door.
- The tenant subsequently vacated the rental unit on November 8, 2013.

They are therefore requesting a Monetary Order as follows:

August 2013 rent outstanding	\$17.75
September 2013 rent outstanding	\$17.75
October 2013 rent outstanding	\$484.39
November 2013 rent outstanding	\$129.17
Filing fee	\$50.00
Total	\$699.06

As stated above the tenant chose not to give any testimony or evidence in his defense, other than to state that a pet deposit of \$201.00 had been paid in December of 2005.

The landlord does not dispute the tenant's claim of the payment of a pet deposit.

### Analysis

In the absence of any response from the tenant I accept the landlord's undisputed testimony that there is a total of \$649.06 in rent outstanding, and therefore I allow that portion of the claim.

I also Order recovery of the \$50.00 filing fee.

### Conclusion

I have allowed the landlords full claim of \$699.06 and I therefore Order that the landlord may retain the full \$187.50 security deposit plus \$8.22 interest for a total of \$195.72,

plus the full pet deposit of \$201.00, plus interest of \$7.11 for a total of \$208.11, and I've issued a Monetary Order for the remaining balance of \$295.23.

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 26, 2013

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Residential Tenancy Branch

