



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute codes OP MNR MNSD FF

Introduction

This hearing dealt with an application by the landlord for an order of possession, a monetary order and an order allowing retention of the security deposit in partial satisfaction of the claim. The hearing was conducted by conference call. The landlord called in and participated in the hearing. The tenant did not appear although she was served with the Application for Dispute Resolution and Notice of Hearing. After the application for dispute resolution was filed the tenant moved out of the rental unit and an order for possession is no longer required.

Issues

Is the landlord entitled to a monetary order and if so, in what amount?

Background and Evidence

This tenancy began on December 1, 2013. The rent is \$800.00 due in advance on the first day of each month. The tenant gave the landlord a cheque in payment of the first month's rent and the security deposit, but the payment was refused due to insufficient funds. On December 21, 2013 the landlord personally served the tenant with a Notice to End Tenancy for non-payment of rent. The tenant has not paid rent and she did not file an application to dispute the Notice to End Tenancy. The tenant was responsible for payment of utilities but the utilities were not paid and the landlord was forced to put the Hydro bill into her name and pay the account. The landlord claimed \$100.00 for utilities that she paid on the tenant's behalf. The tenant moved out of the rental unit on January 3, 2014. She did not pay January's rent. The landlord has succeeded in re-renting the unit to a new tenant as of mid-January. The landlord claimed compensation in the amount of a half month's rent for January. The landlord also testified that she has incurred costs to clean and repair the unit after the tenant moved out.

Analysis and Conclusion

Monetary Order and Security Deposit - I find that the landlord has established a total monetary claim of \$1,200.00 for the outstanding rent for December and half of January. I award the landlord \$100.00 for Hydro charges paid on the tenant's behalf. The landlord is entitled to recover the \$50.00 filing fee for this application for a total award of

\$1,350.00 and I grant the landlord an order under section 67 in the said amount. This order may be filed in the Small Claims Court and enforced as an order of that Court. The landlord has leave to make a further application for dispute resolution to claim for her costs to clean and repair the rental unit.

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: January 17, 2014

Residential Tenancy Branch

