



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Codes: MNR, MNSD, MNDC, OPR

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 landlords attended the application.

Issues:

Is the landlord entitled to an Order for Possession and Monetary Order?

Background and Evidence:

At the outset the landlords testified that the tenant had vacated the unit on January 30, 2014 pursuant to an Order obtained in file number 251083 on January 7, 2014, and accordingly they were abandoning their application for an Order for Possession.

The landlords testified that the tenancy began on December 15, 2012 with rent in the amount of \$ 800.00 due in advance on the first day of each month. The tenant paid a security deposit of \$ 400.00 on December 15, 2012. The landlords testified that they sent the dispute resolution package by registered mail to the address provided by the tenant's movers on January 30, 2014. The tenant did not accept the package and it was returned. The landlords testified that they forwarded the tenants' subsequent mail which was not returned. The landlords testified that the arrears for the period of January 15 through February 15, 2014 were \$ 800.00.

Analysis:

Based on the evidence of the landlord I find that the tenant was deemed to have been personally served with the application for Dispute Resolution on February 4, 2014 by registered mail.

The tenant has not paid all the outstanding. I find that the landlords have established a claim for unpaid rent totalling \$ 800.00 and are entitled to the filing fee of \$ 50.00.

Conclusion:

I order that the landlords retain the deposit and interest of \$ 400.00 and I grant the landlords an order under section 67 for the balance due of **\$ 450.00**. This order may be filed in the Small Claims Court and enforced as an order of that Court. This Decision and all Orders must be served on the tenant 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: March 17, 2014

Residential Tenancy Branch

