



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Century 21 Ace Agencies Ltd.  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      MNR, MNSD, MNDC, FF

### 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 November 27, 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 May 1, 2010 and ended on November 14, 2013. The tenants were obligated to pay \$825.00 per month in rent in advance and at the outset of the tenancy the tenants paid a \$412.50 security deposit.

I address the landlord's claims and my findings around each as follows.

The landlord is seeking unpaid rent for the months of October and November. The landlord stated that the tenant gave notice that she wished to move out on October 15, 2013. The landlord advised the tenant that they required a full month's notice as required by the Act and their tenancy agreement. The tenant put a "stop payment" on the October's rent cheque. The tenant did not return the keys and fob until November 14, 2013. The landlord stated that the tenant left items behind until that time as well. Based on the above I find that the landlord is entitled to the unpaid rent for the months of October and November in the amount of \$1650.00.

The landlord is also entitled to the recovery of the \$50.00 filing fee.

Conclusion

The landlord has established a claim for \$1700.00. I order that the landlord retain the \$412.50 security deposit in partial satisfaction of the claim and I grant the landlord an order under section 67 for the balance due of \$1287.50. 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: March 13, 2014

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Residential Tenancy Branch

