



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Harron Investments Inc.  
and [tenant name suppressed to protect privacy]

## **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's representative called in and participated in the hearing. The tenants did not appear although they were served with the Application for Dispute Resolution and Notice of Hearing by registered mail sent on February 13, 2014. The landlord's representative testified at the hearing that the tenants moved out of the rental unit at the end of February and an order for possession is no longer required.

### Issues

Is the landlord entitled to a monetary order?

Is the landlord entitled to an order allowing retention of the security deposit?

### Background and Evidence

This tenancy began on March 1, 2013 for a fixed term ending February 28, 2014. The rent was \$1,000.00 due in advance on the first day of each month. The tenants paid a security deposit of \$500.00 at the start of the tenancy. The tenants did not pay the full amount of rent due for January. They paid only 750.00 for January and they did not pay rent for February when it was due. The tenants moved out of the rental unit at the end of February. The landlord's representative testified that they left the rental unit in a mess and abandoned furniture in the unit. They did not provide the landlord with a forwarding address.

### Analysis

The tenants did not pay the full rent for January and the landlord has claimed the unpaid rent for January in the amount of \$250.00 plus a \$25.00 late fee for each late payment

as provided by the tenancy agreement. The landlord has also claimed unpaid rent for February in the amount of \$1,000.00

Conclusion

*Monetary Order and Security Deposit* - I find that the landlord has established a total monetary claim of \$1,250.00 for the outstanding rent for February and March. The landlord is entitled to recover total late fees of \$50.00 and the \$50.00 filing fee for this application for a total award of \$1,350.00. I order that the landlord retain the deposit and interest of \$500.00 in partial satisfaction of the claim and I grant the landlord an order under section 67 for the balance due of \$850.00. 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 to claim the costs of cleaning and repairs when it has ascertained those costs and is able to serve the respondents. Leave to apply does not constitute an extension of any applicable time limit.

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: April 01, 2014

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Residential Tenancy Branch

