



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, OPC, OPB, MND, MNR, MNSD, FF

Introduction

This hearing dealt with an application by the landlord for an order of possession, a monetary order and an order permitting her to retain the security deposit in partial satisfaction of the claim. Despite having been personally served with the application for dispute resolution and notice of hearing, the tenant did not participate in the conference call hearing.

At the hearing, the landlord advised that the tenant had vacated the rental unit. As an order of possession is no longer required, I consider that claim to have been withdrawn.

Issue to be Decided

Is the landlord entitled to a monetary order as claimed?

Background and Evidence

The landlord's undisputed evidence is as follows. The tenancy began in November 2012 at which time the tenant paid a \$166.00 security deposit. The tenant was obligated to pay \$500.00 per month in rent and he failed to pay any rent whatsoever in the month of April 2014. The tenant vacated the rental unit on or about May 4, 2014.

The landlord seeks to recover the unpaid rent as well as the \$50.00 filing fee paid to bring her application.

Analysis

I accept the landlord's undisputed testimony and I find that the tenant was obligated to pay \$500.00 in rent for the month of April 2014 and that he failed to do so. I find that the landlord is entitled to recover the unpaid rent and I award her \$500.00. I further find

that as the landlord has been successful in her application, she should recover the filing fee and I award her \$50.00.

Conclusion

The landlord has been awarded \$550.00. I order her to retain the \$166.00 security deposit in partial satisfaction of her claim and I grant her a monetary order under section 67 for the balance of \$384.00. This order may be filed in the Small Claims Division of the Provincial 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: May 12, 2014

Residential Tenancy Branch

