



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Craft Properties Ltd
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes MNDC, FF

Introduction

This hearing dealt with an application by the tenant for a monetary order for money owed or compensation for damage or loss under the Act, Regulation, or tenancy agreement; and to recover his RTB filing fee.

The tenant attended the teleconference hearing and gave evidence, however the landlord did not attend. The tenant gave evidence that he personally served the landlord with the Notice of a Dispute Resolution Hearing and Tenant's Application for Dispute Resolution on April 9, 2014. I find the landlord was properly served.

Issue(s) to be Decided

Is the tenant entitled to a monetary order for money owed or compensation for damage or loss under the Act, Regulation, or tenancy agreement?

Background and Evidence

The tenant gave evidence that he moved out of the rental unit on December 31, 2013. On January 2, 2014, the amount of \$920.24 was transferred from his bank account to the landlord. The tenant provided a print-out of his bank account activity that confirms that \$920.24 was withdrawn from his bank account on January 2, 2014 for "CRAFT PROP MSP".

The tenant gave evidence that he contacted the property manager twice and also sent a registered letter to Craft Properties Ltd regarding the overpayment. However, he says the landlord has not refunded the \$920.24 payment.

The tenant seeks a monetary order for \$920.24 and to recover his RTB filing fee.

Analysis

I accept the undisputed evidence of the tenant that \$920.24 was transferred from his bank account to the landlord on January 2, 2014. Since the tenant had vacated the rental unit on December 31, 2013, no rent was owing for January 2014. I find the tenant is entitled to compensation of \$920.24 and to recover his RTB filing fee of \$50.00.

The total amount due the tenant is \$970.24. I grant the tenant a monetary order for that amount. This order may be filed in the Small Claims Court and enforced as an order of that Court.

Conclusion

I grant the tenant a monetary order for \$970.24.

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: July 25, 2014

Residential Tenancy Branch

