



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding METRO VANCOUVER HOUSING CORP.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes: MNR OPR FF

Introduction:

This hearing dealt with an application by the landlord pursuant to the Residential Tenancy Act for orders as follows:

- a) A monetary order pursuant to Section 67;
- b) An Order of Possession pursuant to Sections 46, and 55;
- c) To retain the security deposit to offset the amount owing; and
- d) An order to recover the filing fee pursuant to Section 72.

SERVICE:

The tenant did not attend. The landlord gave sworn testimony that the Notice to end Tenancy dated June 3, 2014 was served by posting it on the tenant's door and the Application for Dispute Resolution by registered mail. It was verified online as available for pickup but the tenant failed to claim it although notified from June 16 to July 12, 2014. I find that the tenant is deemed to be served with the Application/Notice of Hearing according to sections 88 and 89 of the Act.

Issue(s) to be Decided:

The tenant was issued a Notice to End Tenancy dated June 3, 2014 for unpaid rent. Is the landlord now entitled to an Order of Possession and to a Monetary Order for rental arrears and filing fee?

Background and Evidence:

The tenant did not attend although deemed to be served with the Application/Notice of Hearing. The landlord was given opportunity to be heard, to present evidence and to make submissions. The landlord testified that the tenants vacated on June 30, 2014 after giving legal notice to end their tenancy so an Order of Possession is not required. The landlord said the tenancy commenced on September 1, 2013, rent is \$1375 monthly and a security and pet damage deposit totalling \$1375 was paid on September

1, 2013. The landlord testified that the tenant moved out in June but did not pay rent for June 2014 in the amount of \$1375.

In evidence is the Notice to End Tenancy, the lease agreement, proof of service and a rent ledger.

On the basis of the documentary and solemnly sworn evidence presented at the hearing, a decision has been reached.

Analysis

An Order of Possession is no longer requested.

Monetary Order

I find that there are rental arrears in the amount of \$1375 representing rental arrears to June 30, 2014. I find the landlord entitled to retain the security and pet damage deposits to offset the amount.

Conclusion:

I find the landlord is entitled to a monetary order as calculated below. I find the landlord is entitled to retain the security and pet damage deposits to offset the amount owing and to recover filing fees paid for this application.

Calculation of Monetary Award:

Rent arrears to June 30, 2014	1375.00
Filing fee	50.00
Less deposits (no interest 2013-14)	-1375.00
Total Monetary Order to Landlord	50.00

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: August 08, 2014

Residential Tenancy Branch

