



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Capital Region Housing Corporation  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      MNR, MNDC, MNSD, FF

### Introduction

This is an application filed by the landlord for a monetary order for unpaid rent, for money owed or compensation for damage or loss, to keep all or part of the security deposit and recovery of the filing fee.

The landlord attended the hearing by conference call and gave undisputed evidence. The tenant did not attend or submit any documentary evidence. The landlord states that the tenant was served with the notice of hearing package and the submitted documentary evidence by Canada Post Registered Mail on May 15, 2014 and has submitted copies of the Customer Receipt Tracking number and an online printout as confirmation. The landlord clarified that the mail was signed for by the tenant's spouse/boyfriends employer who confirmed in a telephone call that he has agreed to receive mail on their behalf and to forward it to his employee. As such, I am satisfied that the tenant has been properly served with the notice of hearing package and the submitted documentary evidence.

### Issue(s) to be Decided

Is the landlord entitled to a monetary order?  
Is the landlord entitled to retain the security deposit?

### Background and Evidence

This tenancy began on October 1, 2013 for a fixed term tenancy until September 30, 2014 as shown by the submitted copy of the signed tenancy agreement dated September 4, 2013. The monthly rent was \$580.00 payable on the 1st of each month and a security deposit of \$302.50 was carried over from a previous fixed term tenancy.

The landlord states that the tenant was served with a 10 day notice to end tenancy issued for unpaid rent dated March 15, 2014 for March 2014 for \$580.00 in rent. The tenant vacated the rental unit March 24, 2014. The landlord states that they received the tenant's forwarding address in writing by email on April 29, 2014 at the tenant's

spouse/boyfriends work place. This was later confirmed by telephone by the employer that he was accepting mail on the tenant's and his employees behalf.

The landlord seeks a monetary claim of \$788.00 which consists of \$580.00 for unpaid rent for March 2014 and \$40.00 for the cost of a garbage disposal service.

### Analysis

I accept the undisputed evidence of the landlord and find that a monetary claim of \$788.00 has been established for unpaid rent and money owed claimed by the landlord. The landlord is also entitled to recovery of the \$50.00 filing fee. I order that the landlord retain the \$302.50 security deposit in partial satisfaction of the claim and I grant the landlord a monetary order for the balance due of \$535.50. This order may be filed in the Small Claims Division of the Provincial Court and enforced as an Order of that Court.

### Conclusion

The landlord is granted a monetary order for \$535.50.  
The landlord may retain the security deposit.

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: September 16, 2014

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Residential Tenancy Branch

