



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

Decision

Dispute Codes: MNR, MNSD, MNDC, FF

Introduction

This hearing dealt with an Application for Dispute Resolution by the landlord seeking a monetary order for accrued rental arrears left by the tenant at the end of the tenancy.

Despite being served with the hearing documents by registered mail, the respondent tenant did not appear and the hearing was held in the absence of the tenant.

Issue(s) to be Decided

Is the landlord entitled to compensation for rental arrears owed?

Background and Evidence

The tenancy began on July 1, 2013 with rent of \$1,300.00. A security deposit of \$650.00 was paid. A copy of the tenancy agreement is in evidence.

The landlord testified that the tenant fell into arrears for \$1,300.00 in unpaid rent for January 2014 and also failed to pay rent of \$1,300.00 for February 2014. The landlord testified that the tenant gave short Notice in mid-February that she was moving out effective March 1, 2014.

The landlord testified that the tenant gave the landlord written permission to retain the tenant's \$650.00 security deposit in partial satisfaction of the debt and then vacated without paying the remaining arrears. The landlord seeks compensation for the rest of the arrears in the amount of \$1,950.00.

Submitted into evidence is a copy of the 10-Day Notice to End Tenancy for Unpaid Rent dated February 26, 2014 showing that the tenant was in arrears for two month's rent totaling \$2,600.00.

Analysis

I find that the landlord is entitled to retain the tenant's \$650.00 security deposit toward the debt, as the tenant provided written permission for these funds to be retained.

With respect to the rent, I find that section 26 of the Act states that rent must be paid when it is due. I find that the tenant did not pay in accordance with the Act and the landlord is entitled to be compensated an additional \$1,950.00 for the remaining rental arrears plus the \$50.00 cost of this application.

I hereby grant the Landlord an order under section 67 for \$2,000.00. This order must be served on the Respondent and may be filed in the Provincial Court (Small Claims) and enforced as an order of that Court. The remainder of the landlord's application is dismissed without leave.

Conclusion

The landlord is successful in the application and is granted a Monetary Order for rental arrears owed.

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: November 12, 2014

Residential Tenancy Branch

