



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      OPR, MNR, MDSD & FF

### Introduction

A hearing was conducted by conference call in the presence of a representative of the applicant and in the absence of the respondents although duly served. On the basis of the solemnly affirmed evidence presented at that hearing, a decision has been reached. All of the evidence was carefully considered.

I find that the 10 Notice to End Tenancy was sufficiently served on the Tenants by posting on November 7, 2014. Further I find that the Application for Dispute Resolution/Notice of Hearing was sufficiently served on the Tenants by mailing, by registered mail to where the tenant's reside on November 25, 2014. With respect to each of the applicant's claims I find as follows:

### Issue(s) to be Decided

The issues to be decided are as follows:

- a. Whether the landlord is entitled to an Order for Possession?
- b. Whether the landlord is entitled to A Monetary Order and if so how much?
- c. Whether the landlord is entitled to retain all or a portion of the security deposit/pet deposit?
- d. Whether the landlord is entitled to recover the cost of the filing fee?

### Background and Evidence

The parties entered into a one year fixed term written tenancy agreement that provided that the tenancy would start on May 1, 2014 and end on April 30, 2015. The rent is \$1260 plus \$25 parking per month payable in advance on the first day of each month. The tenants paid a security deposit of \$630 at the start of the tenancy. The tenant(s)

failed to pay the rent for the month of November when due. The tenants have subsequently paid \$1000 towards the outstanding rent.

The tenants vacated the rental unit on November 30, 2014. .

Analysis - Order of Possession:

It is no longer necessary to consider the landlord's application for an Order for Possession.

Analysis - Monetary Order and Cost of Filing fee

I determined the tenants have failed to pay the rent for the month(s) of November and the sum of \$260 remains owing plus \$25 parking and \$25 late fee for a total of \$310. **I granted the landlord a monetary order in the sum of \$310 plus the sum of \$50 in respect of the filing fee for a total of \$360.**

Security Deposit

I determined the security deposit the sum of \$630. I ordered the landlord may retain the amount of this order in the sum of \$360 from the security deposit. No further order is made with respect to the security deposit as the tenant's have not provided the landlord with a forwarding address and the landlord has additional claims against the tenants.

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: December 18, 2014

---

Residential Tenancy Branch

