



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Boundary Management Inc.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPR, MNR, MNSD, FF

Introduction

This is an application filed by the landlord for an order of possession and a monetary order for unpaid rent, 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 testimony. The tenant did not attend or submit any documentary evidence. The landlord states that the tenants were both served in person on November 20, 2014 with the notice of hearing package and the submitted documentary evidence.

At the outset of the hearing, the landlord stated that the tenants have already vacated the rental unit at the end of November and that possession is no longer an issue. As such, no further action for this portion of the claim is required.

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 June 12, 2014 on a month to month basis as shown by the submitted copy of the signed tenancy agreement dated June 12, 2014. The monthly rent is \$1,275.00 payable on the 1st of each month and a security deposit of \$637.00 was paid.

The landlord states that the tenant was served with a 10 day notice to end tenancy issued for unpaid rent dated November 6, 2014 that states that the tenant failed to pay rent of \$2,525.00 that was due on November 1, 2014 and an effective end of tenancy

date of November 16, 2014. The landlord has also submitted a copy of a tenant ledger which shows that the tenant owed \$2,525.00 as of November 1, 2014 because of rent arrears from July, August, September, October and November of 2014.

The landlord seeks a monetary order for unpaid rent of \$2,525.00.

Analysis

I accept the undisputed evidence of the landlord and find that the tenants have been properly served with the 10 day notice to end tenancy issued for unpaid rent dated November 6, 2014. The landlord stated that the tenant failed to pay all of the rent owed within the allowed timeframe and has vacated the rental unit at the end of November.

I also find based upon the undisputed testimony that the landlord has established a claim for rent arrears of \$2,525.00. The landlord has provided a copy of the 10 day notice which was not disputed and a copy of a rent ledger outlining the tenant's rent arrears.

The landlord has also established a claim for recovery of the \$50.00 filing fee. I order that the landlord retain the \$637.00 security deposit in partial satisfaction of the claim and I grant a monetary order under section 67 for the balance due of \$1,938.00. 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 an order of possession and a monetary order for \$1,938.00

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: December 17, 2014

Residential Tenancy Branch

