



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Mainstreet Equity Corp.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes MND, MNDC, MNSD, FF

Introduction

This was the hearing of an application by the landlord for a monetary award and an order to retain the tenant's security deposit. The hearing was conducted by conference call. The landlord's representative called in and participated in the hearing. The tenant did not attend although he was served with the application and Notice of Hearing sent by registered mail on September 15, 2014 to the forwarding address that he provided to the landlord

Issue(s) to be Decided

Is the landlord entitled to a monetary award and if so, in what amount?
Is the landlord entitled to retain all or part of the security deposit?

Background and Evidence

The rental unit is an apartment in Surrey. The tenancy began September 1, 2012 on a monthly basis with rent in the amount of \$900.00 payable on the first of each month. The tenant paid a \$450.00 security deposit at the start of the tenancy. On August 7, 2014 the tenant gave notice to the landlord that he intended to move out of the rental unit at the end of August. The landlord's representative testified that the landlord endeavoured to re-rent the unit for the month of September but was unsuccessful. The landlord re-rented the unit in October. The landlord has claimed for loss of rental income for September in the amount of \$900.00 and for maintenance charges to replace blinds in the bedroom and patio in the amount of \$110.00.

Analysis

Based on the landlord's undisputed evidence, I find that the landlord is entitled to an award in the amount of \$1,010.00 as claimed for September rent and repair costs of \$110.00. The landlord is entitled to recover the \$50.00 filing fee for this application.

Conclusion

The total award to the landlord is the sum of \$1,060.00. I order that the landlord retain the security deposit of \$450.00 in partial satisfaction of this award and I grant the landlord an order under section 67 for the balance of \$610.00. This order may be registered in the Small Claims Court and enforced as an order of that court.

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: April 14, 2015

Residential Tenancy Branch

