



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

OPR, MNR, MNSD, MNDC, FF

Introduction

This hearing was convened in response to an application by the landlord pursuant to the *Residential Tenancy Act* (the Act) for Orders as follows:

1. An Order of Possession for Unpaid Rent - Section 55;
2. A Monetary Order for unpaid rent - Section 67;
3. An Order to retain the security deposit - Section 38
4. An Order to recover the filing fee for this application - Section 72.

I accept the landlord's evidence that despite the tenant having been personally served with the application for dispute resolution and notice of hearing on March 06, 2015, in accordance with Section 89 of the Residential Tenancy Act (the Act), the tenant did not participate in the conference call hearing.

The landlord was given full opportunity to be heard, to present evidence and to make submissions.

The landlord advised the tenant vacated March 31, 2015 pursuant to the landlord's 1 Month Notice to End Tenancy for Cause, also given to the tenant, and as a result an order of possession is not required.

Issue(s) to be Decided

Is the landlord entitled to the monetary amounts claimed?

Background and Evidence

The tenancy began on November 01, 2014. Rent in the amount of \$1250.00 is claimed payable in advance on the first day of each month. At the outset of the tenancy, the landlord collected a security deposit from the tenant in the amount of \$625.00 which

they retain in trust. The landlord claims that to date the tenant has failed to pay all rent owed and that the current arrears are the sum of unpaid rent for February and March 2015 in the amount of \$1700.00.

Analysis

Based on the landlord's undisputed testimony I find the tenant has not paid the outstanding rent arrears

I find that the landlord has established a monetary claim for unpaid rent. The landlord is also entitled to recovery of the \$50.00 filing fee. The security deposit will be off-set from the award made herein.

Calculation for Monetary Order

Rental Arrears to March 31, 2015	\$1700.00
Filing Fee for the cost of this application	50.00
Less Security Deposit	-625.00
Total Monetary Award to landlord	\$1125.00

Conclusion

I Order that the landlord retain the security deposit of \$625.00 in partial satisfaction of the claim and I grant the landlord an Order under Section 67 of the Act for the balance due of **\$1125.00**. If necessary, this Order may be filed in the Small Claims Court and enforced as an Order of that Court.

This Decision is final and binding on both parties.

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 08, 2015

Residential Tenancy Branch

