



# Dispute Resolution Services

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      OPR, MNR, MNSD, MNDC, FF

### Introduction

This hearing dealt with an application by the landlords for an order of possession, a monetary order and an order authorizing them to retain the security deposit in partial satisfaction of the claim. Despite having been personally served with the application for dispute resolution and notice of hearing, the tenant did not participate in the conference call hearing.

At the hearing, the landlords advised that the tenant vacated the rental unit on June 17. I therefore consider the claim for an order of possession to have been withdrawn.

### Issue to be Decided

Are the landlords entitled to a monetary order as claimed?

### Background and Evidence

The landlords' undisputed evidence is as follows. The tenancy began on November 1, 2014 at which time the tenant paid a \$700.00 security deposit. Rent was set at \$1,400.00 per month. The tenant failed to pay rent in the months of April, May and June and the landlords seek to recover the rental arrears as well as the \$50.00 filing fee paid to bring their application.

### Analysis

I accept the landlords' undisputed testimony and I find that the tenant was contractually obligated to pay \$1,400.00 in rent for each month that he occupied the rental unit. I find that he failed to pay rent in the months of April – June inclusive and I find that the landlords are entitled to recover the rental arrears. I award the landlords \$4,200.00. As the landlords have been successful in their claim, I find they should recover their filing fee and I award them \$50.00 for a total award of \$4,250.00. I order the landlords to

retain the \$700.00 filing fee in partial satisfaction of the claim and I grant them a monetary order under section 67 for the balance of \$3,550.00. This order may be filed in the Small Claims Division of the Provincial Court and enforced as an order of that Court.

Conclusion

The landlords are granted a monetary order for \$3,550.00 and will retain the security deposit.

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: June 26, 2015

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Residential Tenancy Branch

