



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Codes: MNR, MNSD, MNDC OPR, FF

Introduction:

This was an application by the landlords for an Order for Possession, a Monetary Order and an Order to retain the security deposit in partial satisfaction of the monetary claim. Only the landlords attended the application. At the outset the landlords advised that the tenants moved out on May 6, 2015 and accordingly the landlords were abandoning the application for an Order for Possession.

Issues:

Are the landlords entitled to a Monetary Order and if so how much?

Background and Evidence:

The landlords testified that the tenancy began on November 14, 2013 with rent in the amount of \$ 650.00 due in advance on the first day of each month. The tenants paid a security deposit of \$ 650.00 on November 4, 2013. The landlords testified that they served the dispute resolution package by handing it to one of the tenants on April 25, 2015. The landlords testified that the arrears from January through May 2015 were \$ 1,750.00. Although on the original Application for Dispute Resolution the landlords only claimed \$ 450.00 representing arrears up to April 2015, they requested that I amend their application to include the arrears for May which would bring their claim to \$ 1,750.00.

Analysis:

Based on the evidence of the landlords I find that the application for Dispute Resolution was served on April 25, 2015.

I have permitted the landlords to amend their application to include the total arrears owing to date as this claim would not come as a surprise to the tenants because they moved out on May 6, 2015 without paying the rent for May. I find that the landlords have

established a claim for unpaid rent totalling \$ 1,750.00 and the filing fee of \$ 50.00 totalling \$ 1,800.00.

Conclusion:

I order that the landlords retain the deposit and interest of \$ 650.00 and I grant the landlords an order under section 67 for the balance due of **\$ 1,150.00**. This order may be filed in the Small Claims Court and enforced as an order of that Court. This Decision and all Orders must be served on the tenants as soon as possible.

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 08, 2015

Residential Tenancy Branch

