



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding CAPILANO PROPERTY MANAGEMENT SERVICES
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes

MND, MNR, MNSD, FF

Introduction

This was an orally amended application by the landlord for a monetary order. The hearing was conducted by conference call.

The landlord participated in the hearing. The tenant did not attend although claimed by the landlord to have been served with the application and Notice of Hearing sent by registered mail on May 15, 2015. The landlord provided the tracking number of mail registration which, upon informed inquiry, indicated to have been received and signed by the tenant. Neither the landlord nor the tenant provided any document evidence to this matter and the hearing proceeded on the oral testimony of the landlord.

Issue(s) to be Decided

Is the landlord entitled to a monetary order in the amount claimed?

Background and Evidence

The undisputed testimony of the landlord is that the tenancy started July 01, 2014 and ended April 30, 2015. At the outset of the tenancy the landlord collected a security deposit of \$530.00. The landlord claims that after filing their application the tenant satisfied a financial obligation to the City for utilities, and agreed the landlord could retain \$280.00 from the security deposit in satisfaction of the balance of the landlord's claim for damages – with the result that the landlord retains \$250.00 of the tenant's deposit.

Analysis

I accept the landlord's testimony they ultimately resolved their matter with the tenant subsequent to filing for dispute resolution within the time limit required to do so. I grant the landlord recover of their filing fee of \$50.00.

Conclusion

I Order that the landlord may retain \$50.00 from the tenant's remaining \$250.00 security deposit in satisfaction of the filing fee and for the balance of \$200.00 to be returned to the tenant, forthwith. **I grant** the tenant an Order under Section 67 of the Act for the amount of **\$200.00**. 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: September 29, 2015

Residential Tenancy Branch

