



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNR, MNDC, MNSD, FF

Introduction

This hearing dealt with an application by the landlord for an order of possession, a monetary order and an order allowing retention of the security deposit in partial satisfaction of the claim. The hearing was conducted by conference call. The landlord's agent called in and participated in the hearing. The tenant did not appear although he was served with the Application for Dispute Resolution and Notice of Hearing by registered mail sent on July 31, 2015. The landlord's agent advised that the tenant vacated the rental unit on August 25, 2015 and an order for possession is no longer required.

Issues

Is the landlord entitled to a monetary order?

Is the landlord entitled to an order allowing retention of the security deposit?

Background and Evidence

The tenancy began on December 1, 2014. The rent is \$600.00 due in advance on the first day of each month. The tenant paid a security deposit of \$300.00 at the start of the tenancy. The tenant did not pay the full rent for July when it was due. The tenant paid \$270.00, leaving \$330.00 outstanding. On July 14, 2015 the landlord personally served the tenant with a Notice to End Tenancy for non-payment of rent. The tenant did not pay rent for July or for August and he did not file an application to dispute the Notice to End Tenancy. The tenant moved out of the rental unit on August 25, 2015.

Analysis and conclusion

Monetary Order and Security Deposit - I find that the landlord has established a total monetary claim of \$930.00 for the outstanding rent for July and August. The landlord is entitled to recover the \$50.00 filing fee for this application for a total award of \$980.00. I order that the landlord retain the deposit and interest of \$300.00 in partial satisfaction of

the claim and I grant the landlord an order under section 67 for the balance due of \$680.00. This order may be filed 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: October 09, 2015

Residential Tenancy Branch

