



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Cascadia Apartment Rentals Ltd.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes

Landlord's application: OPR, MNR, MNDC, FF
Tenant's application: CNR, ERP, OLC, RP, O, FF

Introduction

This was a hearing with respect to applications by the landlord and by the tenants. The hearing was conducted by conference call. The landlord's representatives called in and participated in the hearing. The tenants did not attend although the tenant, P.S. was served with the landlord's application by registered mail sent on September 11, 2015 and although this was the hearing of the tenants' application.

The landlord's representatives testified that a hearing of the landlord's application for an early end of tenancy was conducted by conference call on October 21, 2015 and the landlord was granted an immediate order for possession. Because the landlord has been granted an order for possession in the earlier proceeding, the application for an order for possession in this proceeding is dismissed.

In the absence of an appearance by the tenants their application for dispute resolution is dismissed without leave to reapply.

Issue(s) to be Decided

Is the landlord entitled to a monetary award for unpaid rent and if so, in what amount?

Background and Evidence

The rental unit is an apartment in Vancouver. The tenancy began in August 2013. The tenants paid a security deposit of \$490.00 at the start of the tenancy. The current monthly rent is \$1,004.00, payable on the first of each month.

The tenant paid only a portion of the rent for August. The sum of \$604 remains outstanding for August. Not rent has been paid for September or for October. The landlord has requested a monetary award in the amount of the unpaid rent plus the filing fee for this application.

In the landlord's ET application heard on October 21, 2015, the landlord was granted a monetary order in the amount of \$50.00 for the filing fee in that application. The arbitrator stated that the landlord was entitled to retain the sum of \$50.00 from the security deposit. After deducting the sum of \$50.00 from the \$490.00 security deposit, the remainder of the deposit is the sum of \$440.00.

Analysis

The tenant failed to pay rent in the amount of \$2,612.00 for the months of August, September and October. The landlord is entitled to a monetary award in the said amount. The landlord is entitled to recover the \$50.00 filing fee for this application for a total award of \$2,662.00. I order that the landlord retain the balance of the security deposit of \$440.00 in partial satisfaction of this award and I grant the landlord an order under section 67 for the balance of \$2,222.00. This order may be registered in the Small Claims Court and enforced as an order of that court.

Conclusion

The landlord has been granted a monetary order in the amount of \$2,222.00. The landlord has leave to apply for a further monetary award if, after the tenants have vacated, there are claims for additional damages or loss of revenue.

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 23, 2015

Residential Tenancy Branch

