



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

MNR, MNSD, FF

Introduction

This hearing was convened in response to an application by the landlord pursuant to the *Residential Tenancy Act* (the Act) for Orders as follows:

1. A Monetary Order for unpaid rent - Section 67;
2. An Order to retain the security deposit - Section 38
3. An Order to recover the filing fee for this application - Section 72.

Both parties attended the hearing and were given opportunity to present all relevant evidence and testimony in respect to the claim and to make relevant prior submission to the hearing and fully participate in the conference call hearing. Prior to concluding the hearing both parties acknowledged they had presented all of the relevant evidence that they wished to present.

Issue(s) to be Decided

Is the landlord entitled to the monetary amounts claimed?

Background and Evidence

The tenancy began on November 01, 2014. The agreed rent in this matter is in the amount of \$1050.00 payable in advance on the first day of each month. At the outset of the tenancy, the landlord collected a security deposit from the tenant in the amount of \$525.00 which they retain in trust. The tenant(s) failed to pay \$525.00 of the rent in the month of September 2015 and on September 15, 2014 the landlord served the tenant(s) with a notice to end tenancy for non-payment of rent. The tenant(s) further failed to pay \$525.00 of the rent in the month of October 2015. The tenancy ended in October 2015.

The tenant does not dispute the landlord's claim.

Analysis

Based on the evidence of both parties and on the document evidence I find that the tenant was served with a notice to end tenancy for non-payment of rent and I find the notice to be valid. The tenant has not paid the outstanding rent and they agree they additionally did not satisfy the rent for October 2015.

I find that the landlord has established a monetary claim for the unpaid rent. The landlord is also entitled to recovery of the filing fee. The security deposit will be off-set from the award made herein.

Calculation for Monetary Order

Rental arrears September 2015	525.00
Unpaid rent October 2015	525.00
Filing fee for the cost of this application	50.00
<i>Less Security Deposit held</i>	<i>-525.00</i>
Total Monetary Award to landlord	575.00

Conclusion

I Order that the landlord retains the security deposit of \$525.00 in partial satisfaction of the claim and the landlord is given an Order under Section 67 of the Act for the balance due of **\$575.00**. 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: November 25, 2015

Residential Tenancy Branch

