



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNR, MDSD & FF

Introduction

The Application for Dispute Resolution filed by the landlord makes the following claims:

- a. An Order for Possession for non-payment of rent
- b. A monetary order in the sum of \$1695 for unpaid rent
- c. An order to keep the security deposit
- d. An order to recover the cost of the filing fee

A hearing was conducted by conference call in the presence of two representatives of the applicant and in the absence of the respondent although duly served. On the basis of the solemnly affirmed evidence presented at that hearing, a decision has been reached. All of the evidence was carefully considered.

I find that the Notice to End Tenancy was served on the Tenant by posting on October 7, 2015. Further I find that the Application for Dispute Resolution/Notice of Hearing was served by mailing, by registered mail to where the tenant resides on October 28, 2015.

Issue(s) to be Decided

The issues to be decided are as follows:

- a. Whether the landlord is entitled to an Order for Possession?
- b. Whether the landlord is entitled to A Monetary Order and if so how much?
- c. Whether the landlord is entitled to retain all or a portion of the security deposit/pet deposit?
- d. Whether the landlord is entitled to recover the cost of the filing fee?

Background and Evidence:

The parties entered into a written tenancy agreement that provided that the tenancy would start on July 1, 2015. February 1, 2012. The rent is \$1695 per month payable in advance on the first day of each month. The tenant paid a security deposit of \$847.50 at the start of the tenancy. The tenant(s) failed to pay the rent for the month of October.

The tenant has since paid the arrears of rent and the landlord has reinstated the tenancy. The tenant(s) continues to live in the rental unit.

Analysis - Monetary Order and Cost of Filing fee:

I determined the landlord is entitled to recover the cost of the filing fee. As a result I ordered the tenant to pay to the landlord the sum of \$50 for the cost of the filing fee.

It is further Ordered that this sum be paid forthwith. The applicant is given a formal Order in the above terms and the respondent must be served with a copy of this Order as soon as possible.

Should the respondent fail to comply with this Order, the Order may be filed in the Small Claims division of the Provincial 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: December 22, 2015

Residential Tenancy Branch

