



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Cyclone Holdings Ltd  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      CNR, FF, MNDC, MNR, OPR

### Introduction

This decision deals with two applications for dispute resolution, one brought by the tenants and one brought by the landlords. Both files were scheduled to be heard together; however the tenants did not join the conference call that was scheduled for the hearing, and therefore the tenants application has been dismissed, and I dealt with the landlord's application in the absence of the tenants.

The landlords application is a request for an Order of Possession based on a Notice to End Tenancy for nonpayment of rent, a request for a Monetary Order for \$840.00 in outstanding rent, and a request for recovery of the \$50.00 filing fee.

### Issue(s) to be Decided

At the beginning of the conference call the landlord stated that the tenants had already vacated the rental unit and he has possession of it, and therefore the only issue remaining to deal with is the claim of outstanding rent.

### Background and Evidence

The landlord testified that the tenants failed to pay the September 2015 rent and vacated the rental unit on September 30, 2015, and therefore he is asking for an Order for that outstanding rent, totaling \$840.00.

The landlord also stated that he is requesting an Order allowing him to retain the full security deposit of \$400.00 and the full pet deposit of \$200.00 towards the claim, and request that a Monetary Order be issued for the remainder.

The landlord also requests an Order for recovery of his \$50.00 filing fee.

Analysis

I accept the landlord's sworn testimony that the tenants failed to pay any rent for the month of September 2015 even though they lived in the rental unit for the full month. I therefore, pursuant to section 67 of the Residential Tenancy Act, allow the landlords request for a Monetary Order for that outstanding \$840.00 rent.

I also allow the landlords request for recovery of the \$50.00 filing fee.

Conclusion

I have allowed the landlords full monetary claim of \$890.00 and I therefore Order, pursuant to section 38(4)(b) of the Residential Tenancy Act, that the landlord may retain the full security deposit of \$400.00 and the full pet deposit of \$200.00 towards this claim, and I have issued a Monetary Order in the amount of \$290.00.

The tenant's application is dismissed in full without leave to reapply.

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 02, 2015

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Residential Tenancy Branch

