



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR OPR MNR MNSD MNDC FF

Introduction

This hearing dealt with applications by the tenant and the landlord. The tenant applied to cancel a notice to end tenancy. The landlord applied for an order of possession pursuant to the notice to end tenancy and monetary compensation. Both the landlord and the tenant participated in the teleconference hearing.

At the outset of the hearing, the landlord and the tenant confirmed that the tenant vacated the rental unit in December 2015. Therefore, I dismissed the portions of the applications regarding the notice to end tenancy. The landlord also withdrew the portion of his application regarding recovery of the filing fee.

The parties confirmed that they had received the other party's evidence. Neither party raised any issues regarding service of the application or the evidence. Both parties were given full opportunity to give testimony and present their evidence. I have reviewed all testimony and other evidence. However, in this decision I only describe the evidence relevant to the issues and findings in this matter.

Issue(s) to be Decided

Is the landlord entitled to monetary compensation as claimed?

Background and Evidence

The tenancy began on September 9, 2015. Rent in the amount of \$1,200.00 was 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 \$600.00.

The tenant failed to pay \$700.00 of the rent for October 2015, and he paid no rent for November or December 2015. The landlord claimed unpaid rent of \$3,100.00. The tenant confirmed that he owed this amount.

Analysis

The tenant confirmed that he owes the landlord \$3,100.00 in unpaid rent. I therefore grant the landlord this amount.

Conclusion

The tenant's application and the portions of the landlord's application regarding an order of possession and the filing fee are dismissed.

The landlord is entitled to \$3,100.00. I order the landlord to retain the security deposit of \$600.00 in partial compensation of this amount and I grant the landlord an order under section 67 for the balance due of \$2,500.00. 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: January 18, 2016

Residential Tenancy Branch