



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Transpacific Realty Advisors
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPR MNR MNSD

Introduction

This hearing dealt with an application by the landlord for an order of possession, a monetary order and an order allowing retention of the security deposit in partial satisfaction. The hearing was conducted by conference call. The landlord called in and participated in the hearing. The tenants did not appear although they were each served with the Application for Dispute Resolution and Notice of Hearing by registered mail sent on January 15, 2016.

At the outset of the hearing the landlord advised that an order of possession was no longer necessary as the tenants moved out on January 18, 2016.

Issues

Is the party entitled to the requested orders?

Background and Evidence

This tenancy began on August 1, 2015. The rent was \$2500.00 due in advance on the first day of each month. Utilities were not included in the rent. The tenant paid a security deposit of \$1250.00 at the start of the tenancy. The tenant did not pay rent for January when it was due. On January 5, 2016 the landlord served the tenant with a Notice to End Tenancy for non-payment of rent. The tenants did not pay the rent for January and then vacated the rental unit on January 18, 2016.

Analysis

The landlord has made a monetary claim in the amount of \$2,834.08. The claim is comprised of unpaid rent in the amount of \$2500.00 for January and unpaid utilities for the period ending December 8, 2015 in the amount of \$334.08.

In support of the claim, the landlord submitted, amongst other things, copies of the 10 Day Notice to End Tenancy, the tenancy agreement and the written demand for utilities and invoices for BC Hydro and Fortis together with copies of the original bills.

I am satisfied based on the testimony of the landlord and the documentation submitted that the landlord has established its claim.

The landlord sought to amend the Application for Dispute Resolution at the hearing to increase the amount of the monetary claim as a result of costs incurred for cleaning of the rental unit. However, I find that these costs being as they are in excess of \$500.00 should be pursued through a separate Application for Dispute Resolution.

Conclusion

Monetary Order and Security Deposit - I find that the landlord has established a total monetary claim of \$2,834.08. I order that the landlord retain the deposit and interest (\$0.00) of \$1250.00 in partial satisfaction of the claim and I grant the landlord an order under section 67 for the balance due of \$1584.08. 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: March 08, 2016

Residential Tenancy Branch

