



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes FF, MNR, MND

Introduction

This is an application brought by the Landlord requesting a Monetary Order for outstanding rent and for recovery of their filing fee.

The applicant's agent testified that the respondent(s) were served with notice of the hearing by personal service, through a process server, on March 7, 2016; however the respondent(s) did not join the conference call that was set up for the hearing.

The applicants have provided an affidavit of service from the process server.

Therefore it is my finding that the respondent(s) have been properly served with notice of the hearing and I therefore conducted the hearing in the respondent's absence.

All parties were affirmed.

Issue(s) to be Decided

The issue is whether or not the applicant is established monetary claim against the respondents, and if so in what amount.

Background and Evidence

The applicant's agent testified that this tenancy began on April 1, 2014 with a monthly rent of \$2200.00 due on the first of each month.

The applicant's agent further testified that the tenants paid a security deposit of \$1100.00 on April 27, 2014.

The applicant's agent further testified that the tenants fell well behind on the rent and were eventually evicted in October of 2015, with an Order of Possession.

The applicant's agent further testified that the following rents were outstanding at the end of the tenancy:

January 2015 rent outstanding	\$1400.00
February 2015 rent outstanding	\$1400.00
March 2015 rent outstanding	\$1400.00
April 2015 rent outstanding	\$1400.00
May 2015 rent outstanding	\$2200.00
June 2015 rent outstanding	\$2200.00
July 2015 rent outstanding	\$2200.00
August 2015 rent outstanding	\$2200.00
September 2015 rent outstanding	\$2200.00
October 2015 rent outstanding	\$2200.00
Total	\$18800.00

The applicants agent testified that they already have an Order from a previous dispute resolution hearing to keep \$100.00 of the security deposit, and therefore they are requesting an Order to keep the remaining \$1000.00 towards this claim, and request that a Monetary Order be issued for the difference, plus the \$100.00 filing fee

Analysis

It is my finding that the applicants have shown that the tenants failed to pay a total of \$18,800.00 in rent for the months of January 2015 through October 2015, and I therefore allow the landlords full claim for that outstanding rent.

I also allow the landlords request for recovery of the \$100.00 filing fee.

Conclusion

I have allowed the landlords full total claim of \$18,900.00 and I therefore Order that the landlords may retain the full remaining security deposit of \$1000.00, and I have issued a Monetary Order for the respondents to pay \$17,900.00 to the applicant.

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: April 11, 2016

Residential Tenancy Branch

