



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding david burr Ltd.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes FF, MNR, MNSD

Introduction

This is an application brought by the Landlord(s) requesting a Monetary Order in the amount of \$1400.00, requesting recovery of the \$50.00 filing fee, and requesting an Order to retain the full security deposit towards the claim.

The applicant testified that the respondent(s) were served with notice of the hearing by registered mail that was mailed on December 16, 2015, however the respondent(s) did not join the conference call that was set up for the hearing.

Pursuant to section 90 of the Residential Tenancy Act, documents sent by registered mail are deemed served five days after mailing and therefore it is my finding that the respondent(s) have been properly served with notice of the hearing.

All testimony was taken under affirmation.

Issue(s) to be Decided

The issue is whether or not the applicant has established a monetary claim against the respondent's, and if so in what amount.

Background and Evidence

The applicant testified that the tenants paid a security deposit of \$700.00 on December 4, 2014 and the tenancy began on December 5, 2014 with a monthly rent of \$1400.00, due on the first of each month.

The applicant further testified that the tenants vacated the rental unit on September 30, 2015 however they failed to pay any rent for the month of September 2015.

The applicant further testified that they did not receive a forwarding address for the tenant until December 9, 2015 and therefore their application for dispute resolution was filed shortly thereafter, on December 10, 2015.

The applicant is requesting an Order for the outstanding September 2015 rent of \$1400.00 and recovery of the \$50.00 filing fee for total of \$1450.00.

The applicants are also requesting an Order to retain the full security deposit of \$700.00 towards this claim.

Analysis

It is my finding that the applicant has shown that the tenants failed to pay the September 2015 rent in the amount of \$1400.00, and I therefore allow the applicants request for a Monetary Order for that outstanding rent and for recovery of the filing fee.

Conclusion

I have allowed the applicant's full claim of \$1450.00 and I therefore Order, pursuant to section 38 of the Residential Tenancy Act, that the landlords may retain the full security deposit of \$700.00, and, pursuant to section 67 of the Residential Tenancy Act, I have issued a Monetary Order in the amount of \$750.00.

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: June 28, 2016

Residential Tenancy Branch