



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD, FF

Introduction

The Application for Dispute Resolution filed by the Tenant seeks the following:

- a. A monetary order in the sum of \$1165.78 for the return of the security deposit.
- b. An order to recover the cost of the filing fee.

The applicant failed to contact the telephone bridge number at the scheduled start of the hearing. A representative of the landlord was present and ready to proceed. The telephone line conference line remained open and the phone system was monitored for ten minutes. The applicant failed to appear. I then proceeded with the hearing. On the basis of the solemnly affirmed evidence presented at that hearing, a decision has been reached. All of the evidence was carefully considered.

The parties entered into a written tenancy agreement that provided that the tenancy would start on February 1, 2008. The present rent was \$2830 per month payable in advance on the first day of each month. The tenant(s) paid a security deposit of \$1050 on February 4m 2008. The tenancy ended on February 15, 2016 when the tenant vacated the rental unit.

The representative of the respondent testified the applicant agreed in writing that the landlord could retain the security deposit. In addition, the respondent has a claim against the applicant of \$1585.

In the absence of any evidence or submissions from the applicant I dismissed the applicant's claim for an order for the return of the security deposit without liberty to re-apply.. Based on the evidence before me I determined the tenant has agreed in writing that the landlord can retain the security deposit. As a result I ordered that the landlord shall retain the security deposit plus interest in partial satisfaction of the landlord's claim against the tenant.

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: August 04, 2016

Residential Tenancy Branch

