



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNR & FF

Introduction

The Application for Dispute Resolution filed by the landlord makes the following claims:

- a. An Order for Possession for non-payment of rent
- b. A monetary order in the sum of \$900 for unpaid rent.
- c. An order to recover the cost of the filing fee

A hearing was conducted by conference call in the presence of the applicant and in the absence of the respondent although duly served. On the basis of the solemnly affirmed evidence presented at that hearing, a decision has been reached. All of the evidence was carefully considered.

I find that the 10 day Notice to End Tenancy was personally served on the Tenant on June 10, 2016. Further I find that the Application for Dispute Resolution/Notice of Hearing was personally served on the Tenant on June 23, 2016. With respect to each of the applicant's claims I find as follows:

Issue(s) to be Decided

The issues to be decided are as follows:

- a. Whether the landlord is entitled to an Order for Possession?
- b. Whether the landlord is entitled to A Monetary Order and if so how much?
- c. Whether the landlord is entitled to retain all or a portion of the security deposit/pet deposit?
- d. Whether the landlord is entitled to recover the cost of the filing fee?

Background and Evidence

In 2014 the parties entered into an oral tenancy agreement that provided that the tenant would pay rent of \$850 per month payable in advance on the first day of each month. The tenant paid a security deposit of \$425 at the start of the tenancy.

The tenant failed to pay the rent for June and the sum of \$850 remains outstanding.

The tenant vacated the rental unit at the end of June.

Analysis

It is no longer necessary to consider the landlord's application for an Order for Possession as the Tenant has vacated the rental unit.

Analysis - Monetary Order and Cost of Filing fee:

I determined the tenant has failed to pay the rent for the month(s) of June and the sum of \$850 remains outstanding. I granted the landlord a monetary order in the sum of \$850 plus the sum of \$100 in respect of the filing fee for a total of \$950. The landlord withdrew the claim for damage to doors. He stated the damage was more extensive than he anticipated and that he intended to file a new claim for all of the damage done by the Tenant.

Conclusion:

I ordered that the Tenant(s) pay to the Landlord(s) the sum of \$950.

It is further Ordered that this sum be paid forthwith. The applicant is given a formal Order in the above terms and the respondent must be served with a copy of this Order as soon as possible.

Should the respondent fail to comply with this Order, the Order may be filed in the Small Claims division of the Provincial 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: August 03, 2016

Residential Tenancy Branch

