



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Cascadia Apartment Rentals Ltd.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes MND MNR MNSD MNDC FF

Introduction

This hearing dealt with an application by the landlord for a monetary order and an order to retain the security deposit in partial satisfaction of the claim.

The landlord participated in the teleconference hearing, but the tenant did not call into the hearing. The landlord submitted evidence that they served the tenant with the application for dispute resolution and notice of hearing by registered mail sent on April 26, 2016. Section 90 of the Act states that a document is deemed to have been served five days after mailing. I found that the tenant was deemed served with notice of the hearing on May 1, 2016, and I proceeded with the hearing in the absence of the tenant.

Issue(s) to be Decided

Is the landlord entitled to monetary compensation as claimed?

Background and Evidence

The tenancy began on December 13, 2014. Rent in the amount of \$1,150.00 was payable in advance on the first day of each month. At the outset of the tenancy, the tenant paid the landlord a security deposit of \$575.00 and a pet deposit of \$575.00. The tenancy ended on September 22, 2015. The landlord provided evidence that the tenant owed \$1,535.00 in outstanding rent and unpaid late fees, as well as \$99.75 for carpet cleaning after the tenant vacated. The landlord has claimed \$1,634.75.

In support of their claim, the landlord submitted evidence including the following:

- a copy of a residential tenancy agreement, signed by the tenant and the landlord, indicating:
 - monthly rent of \$1,150.00 due on the first of each month;
 - the tenant paid the landlord a security deposit and a pet deposit, each in the amount of \$575.00;

- the landlord may charge the tenant a late fee of \$25.00 for failure to pay rent in full when due;
- a tenant ledger showing the breakdown of unpaid rent and late fees; and
- a copy of the Landlord's Application for Dispute Resolution, filed April 22, 2016.

Analysis

I find that the landlord has established their claim. Based on the evidence noted above, I am satisfied that the tenant owed the amounts claimed, and the landlord is entitled to compensation for those amounts.

As the landlord's application was successful, they are also entitled to recovery of the \$100.00 filing fee for the cost of this application.

Conclusion

The landlord is entitled to \$1,734.75. I order that the landlord retain the security and pet deposits of \$1,150.00 in partial satisfaction of the claim and I grant the landlord an order under section 67 for the balance due of \$584.75. 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: October 18, 2016

Residential Tenancy Branch