



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Codes: MNR, MNSD, OPC, FF

Introduction:

This was an application by the landlord for an Order for Possession, a Monetary Order and an Order to retain the security deposit in partial satisfaction of the monetary claim. Only the landlord attended the application.

Issues:

Is the landlord entitled to an Order for Possession and Monetary Order?

Service of Documents:

The landlord testified that he served the dispute resolution package by handing it to the tenant on November 3, 2016. Based on the evidence of the landlord I find that the tenant was served on November 3, 2016 in person.

Background and Evidence:

The landlord testified that the tenancy began on September 30, 2016 with rent in the amount of \$ \$ 1,350.00 due in advance on the first day of each month. The tenant paid a security deposit of \$ 675.00 shortly after moving in. At the hearing the landlord advised that the tenant had moved out on or about November 20, 2016 without paying any rent for November 2016. The landlord testified that the arrears were \$ 1,350.00 and the landlord incurred the additional expense of cleaning and disposal totalling \$ 725.00.

Analysis:

The tenant has not paid all the outstanding rent. I find that the landlord has established a claim for unpaid rent totalling \$ 1,350.00 and the filing fee of \$ 100.00 totalling \$ 1,450.00. As the landlord has only specified \$ 1,350.00 in the Application for Dispute Resolution I allow only that amount plus of the filing fee. The landlord is free to bring another application to recover the cleaning and debris removal costs.

Conclusion:

I order that the landlord retain the deposit and interest of \$ 675.00 and I grant the landlord an order under section 67 for the additional balance due of **\$ 775.00**. This order may be filed in the Small Claims Court and enforced as an order of that Court. This Decision and all Orders must be served on the tenant as soon as possible.

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: December 19, 2016

Residential Tenancy Branch