



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR MNR MNSD FF

Introduction

This hearing dealt with an application by the landlord for an order of possession, 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.

At the outset of the hearing the landlord stated that the tenant had moved out of the rental unit on October 31, 2016. I therefore did not consider the portion of the landlord's application regarding an order of possession.

The landlord stated that he personally served the tenant with the application for dispute resolution on September 13, 2016. I accepted the landlord's evidence that the tenant served with notice of the hearing and I proceeded with the hearing in the absence of the tenant.

Issue(s) to be Decided

Is the landlord entitled to a monetary order?

Background and Evidence

The tenancy began in March 2016. Rent in the amount of \$800.00 was payable in advance on the first day of each month. At the outset of the tenancy, the landlord collected a security deposit from the tenant in the amount of \$400.00.

The landlord stated that the tenant failed to pay rent in the month of September 2016 and on September 2, 2016 the landlord served the tenant with a notice to end tenancy for non-payment of rent by attaching the notice to the rental unit door. The landlord stated that the tenant further failed to pay rent in the month of October 2016.

Analysis

I have reviewed all evidence and based on the above-noted evidence I find that the landlord has established a claim for \$1,600.00 in unpaid rent and lost revenue. The landlord is also entitled to recovery of the \$100.00 filing fee.

Conclusion

The landlord's monetary claim is successful.

It is open to the landlord to apply for lost revenue for November 2016.

The landlord is entitled to \$1,700.00. I order that the landlord retain the security deposit of \$400.00 in partial satisfaction of the claim and I grant the landlord an order under section 67 for the balance due of \$1,300.00. 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: December 2, 2016

Residential Tenancy Branch