



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MNR FF

### Introduction

This hearing dealt with an application by the landlord for a monetary order for unpaid rent, as well as recovery of the filing fee.

The landlord participated in the teleconference hearing, but the tenant did not call into the hearing. The landlord stated that they personally served one tenant with the application for dispute resolution and notice of hearing on June 30, 2016. The landlord was unable to serve the other tenant, and I have therefore removed the second tenant as a respondent in this matter. I found that the tenant was properly 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 monetary compensation for unpaid rent?

Is the landlord entitled to recovery of the filing fee?

### Background and Evidence

The tenancy began on October 15, 2015. Rent in the amount of \$1,800.00 was payable in advance on the first day of each month. The tenants were responsible for paying their own utilities. At the beginning of the tenancy the tenants paid the landlord a security deposit of \$900.00.

The tenants failed to pay full rent and utilities for several months, and then they vacated the rental unit. At that time they owed \$4,372.75 in unpaid rent and utilities. The landlord has claimed this amount, as well as recovery of the \$100.00 filing fee for the cost of the application.

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 on September 24, 2105, showing:
  - monthly rent of \$1,800.00 due on the first of each month;
  - the heat and electricity were not included in rent; and
  - the tenants paid the landlord a security deposit of \$900.00;
- a monetary breakdown of rent and utilities owed; and
- a copy of the Landlord's Application for Dispute Resolution, filed June 24, 2016.

### Analysis

I find that the landlord has established their claim. The evidence noted above shows that the tenants were responsible for rent of \$1,800.00 per month as well as utilities costs; they did not pay the full amounts owed; and their security deposit was \$900.00.

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's application is successful.

The landlord is entitled to \$4,472.75. I order that the landlord retain the security deposit of \$900.00 in partial satisfaction of the claim and I grant the landlord an order under section 67 for the balance due of \$3,572.75. 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: January 23, 2017

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Residential Tenancy Branch