



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes FF, MNDC, MNR

Introduction

This is an application brought by the Landlord requesting a monetary order in the amount of \$960.00.

The applicant testified that the respondent was served with notice of the hearing by registered mail that was signed for by the respondent on October 26, 2017; however the respondent did not join the conference call that was set up for the hearing.

Pursuant to section 90 of the Residential Tenancy Act, documents sent by registered mail are deemed served five days after mailing and therefore it is my finding that the respondent has been properly served with notice of the hearing and I therefore conducted the hearing in the respondent's absence.

All testimony was taken under affirmation.

Issue(s) to be Decided

The issue is whether or not the applicant has established monetary claim against the respondent, and if so in what amount.

Background and Evidence

The applicant testified that this tenancy began on December 1, 2015 and ended on September 30, 2016.

The applicant further testified that the he and tenant agreed that the tenant could use his security deposit to cover half of the last month rent, however the tenant failed to pay the \$810.00 of the September 2016 rent.

The applicant further testified that the tenant was credited \$50.00 towards the rent for doing some painting, however at the end of the tenancy it was discovered the painting had never been done, and therefore he is requesting an order for that \$50.00.

The applicant is also requesting recovery of his filing fee of \$100.00.

Analysis

I accept the landlord's undisputed testimony that the tenant failed to pay \$810.00 of the September 2016 rent, and I therefore allow that portion of the landlords claim.

I also accept the landlords undisputed testimony that the tenant was credited a further \$50.00 towards rent to do painting that was never done, and I therefore also allow the landlords claim for recovery of that rent.

Having allowed this full claim I also allow the request for recovery of the filing fee.

Conclusion

Pursuant to sections 67 and 72 of the Residential Tenancy Act, I have issued a Monetary Order for the respondent to pay \$960.00 to the applicant.

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: May 03, 2017

Residential Tenancy Branch