Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

<u>Dispute Codes</u>   FF, MNR, OPR

<u>Introduction</u>

This is an application brought by the Landlord requesting an Order of Possession based on a Notice to End Tenancy for nonpayment of rent, and requesting a monetary order in the amount of $1850.00.

A substantial amount of documentary evidence and written arguments has been submitted prior to the hearing. I have thoroughly reviewed all relevant submissions.

I also gave the parties the opportunity to give their evidence orally and the parties were given the opportunity to ask questions of the other parties.

All parties were affirmed.

<u>Issue(s) to be Decided</u>

At the beginning of the conference call the parties confirmed that the tenant has vacated the rental unit, and therefore an Order of Possession is no longer required.
The issue I dealt with today, therefore, is whether or not the applicant has established monetary claim against the respondent, and if so in what amount.

<u>Background and Evidence</u>

The applicant testified that this tenancy began on February 1, 2017 with a monthly rent of $1100.00.

The applicant states that as of today's date the following amount of rent is still outstanding:

March 2017 rent	$555.00
April 2017 rent	$1100.00
Total	$1655.00

The applicant is therefore requesting an order for the outstanding rent and for recovery of the filing fee.

The tenant testified that she agrees that the total amount of rent outstanding to the landlords is $1655.00 and she therefore does not dispute this claim.

The tenant also stated that she agrees to allow the landlord to keep her full security deposit of $550.00 towards this claim.

Analysis

Since the parties agree on the amount of rent outstanding I will allow the landlords claim for $1655.00, pursuant to section 67 of the Residential Tenancy Act.
I also allow the landlords request for recovery of the $100.00 filing fee, pursuant to section 72 of the Residential Tenancy Act.

Conclusion

I have allowed a total claim of $1755.00, and I therefore order that the landlord may retain the full security deposit of $550.00, as agreed upon by the tenant, and I have issued a monetary order for the tenant to pay $1205.00 to the landlord.

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 15, 2017

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Residential Tenancy Branch