



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MNDC MNSD FF

### Introduction

This hearing dealt with the landlord's application pursuant to the *Residential Tenancy Act* (the "Act") for:

- a monetary order for money owed or compensation for damage or loss under the Act, regulation or tenancy agreement pursuant to section 67;
- authorization to retain all or a portion of the tenant's security deposit and/or pet deposit in partial satisfaction of the monetary order requested pursuant to section 38;
- authorization to recover the filing fee for this application pursuant to section 72.

The hearing was conducted by conference call. All named parties attended the hearing and were given a full opportunity to provide testimony, to present evidence and to make submissions. The tenants acknowledged service of the landlord's application.

### Issues

Is the landlord entitled to retain all or a portion of the pet deposit?

Is the landlord entitled to recover the filing fee for this application?

### Background and Evidence

The landlord is applying to retain the tenants' pet deposit of \$300.00 against a monetary order in the amount of \$2600.00 awarded to the landlord in a previous decision dated August 21, 2018.

Analysis

The provisions of section 72 of the Act allow the landlord to retain the security deposit and or pet deposit in satisfaction of a monetary award previously awarded to the landlord.

As such, I find the landlord is authorized under the Act to retain the tenant's full pet deposit of \$300.00.

As this application was not necessary, I dismiss the landlord's application to recover the filing fee.

Conclusion

The landlord is authorized under the Act to retain the tenant's full pet deposit of \$300.00.

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 15, 2019

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Residential Tenancy Branch