



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MNDCL, MNDL, MNRL-S, FFL

### Introduction and Preliminary Matters

This hearing was convened as a result of the landlords' application for dispute resolution under the Residential Tenancy Act (Act).

The landlords applied for a monetary order for money owed or compensation for damage or loss, unpaid rent, and alleged damage to the rental unit, and for recovery of the filing fee paid for their application.

The listed landlord and listed tenant attended the telephone conference call hearing, the hearing procedure and evidence submissions were discussed.

The landlord submitted evidence that the non-attending tenant, JJ, was served with their application for dispute resolution and notice of hearing package by registered mail on September 25, 2019. I accept that JJ was served notice of this hearing in a manner required by Section 89(1) of the Act.

At the outset of the hearing, when asked if he agreed to any portion of the landlords' monetary claim, the tenant said he agreed with all of their claim and was not disputing any of the amount.

Thereafter, the parties were informed that I would be granting the landlords a monetary order in the amount of their monetary claim, and in this case, that amount is \$2,573.54

The landlord pointed out that this amount included a deduction for the tenants' security deposit of \$925.00 and partial payment of \$500.00.

The tenant agreed with the landlords' retention of their security deposit to satisfy part of the monetary claim.

### Analysis and Conclusion

Due to the tenant's agreement and the landlords' evidence, I find the landlords are entitled to a monetary order in the amount of \$2,673.54, which is their monetary claim of \$2,573.54 and the filing fee of \$100.00, which I have awarded them under authority of section 72(1) of the Act.

I grant the landlords a final, legally binding monetary order pursuant to section 67 of the Act in the amount of \$2,673.54, which is included with the landlords' Decision.

Should the tenants fail to pay the landlords this amount without delay, the monetary order may be served on either or both tenants for enforcement purposes. If necessary, the monetary order may be filed in the Provincial Court of British Columbia (Small Claims) for enforcement as an Order of that Court. The tenants are advised that costs of such enforcement are recoverable from the tenants.

I note that the tenant asked the landlord if he could make payments, and the landlord said that he could; however, there was no binding agreement for such. The landlord was interested in the tenant's good faith payments before taking enforcement actions.

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, 2020

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Residential Tenancy Branch