



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards
Ministry of Housing and Social Development

DECISION

Dispute Codes: OPR, MNR, MNSD, FF

Introduction

This application was brought by the landlord seeking an Order of Possession pursuant to a Notice to End Tenancy for unpaid rent served August 6, 2008. The landlord also served such notices on July 4, 2008, June 5, 2008 and April 4, 2008. The landlord also seeks a Monetary Order for the unpaid rent and filing fee for this proceeding and authorization to retain the security deposit in set off against the balance.

Despite being served with the Notice of Hearing by registered mail sent on August 29, 2008, the tenant did not call in to the number provided to enable his participation in the telephone conference call hearing. Therefore, it proceeded in his absence.

At the commencement of the hearing, the landlord advised that the tenant had vacated on September 15, 2008 without having given the required 30-day notice. Therefore, he withdrew the request for an Order of Possession.

Issue(s) to be Decided

This application requires a decision on whether the landlord is entitled to a Monetary Order for unpaid rent, and if the filing fee and authorization to retain the security deposit should be included.

Background and Evidence

This tenancy began January 16, 2008. Rent is \$1,200 per month plus \$50 parking, and the landlord holds a security deposit of \$600.

During the hearing, the landlord gave evidence that the tenant has not paid rent for three months creating an arrears totaling \$3,750. He said the tenant had left word that he had relocated.

Analysis

I find that the landlord is entitled to a Monetary Order for the unpaid rent and filing fee for this proceeding and authorization to retain the security deposit in set off as follows:

July rent	\$1,250.00
August rent	1,250.00
September rent/loss of rent	1,250.00
Filing fee	50.00
Sub total	\$3,800.00
Less retained security deposit	- 600.00
Less interest (Jan. 16, 2008 to date)	- 6.20
TOTAL	\$3,193.80

Conclusion

Thus, the landlord's copy of this decision is accompanied by a Monetary Order, enforceable through the Provincial Court of British Columbia, for \$3,193.80 for service on the tenant.

September 23, 2008
