



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Housing and Social Development

## Decision

Dispute Codes      MNR, MNSD, MNDC

### Introduction

This matter dealt with an application by the landlord for a monetary order for unpaid rent. The landlord's agent was able to provide documentary evidence that the tenant had been served the notice of this hearing and application, and I am satisfied that the tenant has been properly served as required.

At the hearing, the landlord was represented by an agent who stated that the narrative wording in the application constituted an application for an order of possession in addition to the monetary order application.

In the absence of representation by the tenant, I do not find that a person viewing this application would be aware that the landlord was seeking an order of possession. The application form is very clear as to what is being applied for, so that all parties are fully advised prior to the hearing of what is being sought.

I advised the agent that the application would continue only in relation to a monetary order and that I would not consider an order of possession.

### Issues(s) to be Decided

Is the landlord entitled to a monetary order and if so, in what amount?

### Background and Evidence

The agent stated that the tenant has not paid rent for the months of August and September 2008 for a total of \$1050.00. The landlord also seeks to recover the filing fee of \$50.00 for the cost of this application.

The landlord holds a \$200.00 security deposit paid on May 1, 2008 and seeks to retain all or part of that deposit in satisfaction of any monetary orders.

### Analysis



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I find that the landlord is entitled to a monetary order for unpaid rent and to recover the filing fee for this application.

## Conclusion

I order that the landlord is entitled to recover the amount of \$1100.00. The landlord may retain the security deposit plus interest in the amount of \$201.25, and I grant the landlord a monetary order for the balance of \$898.75. The order may be filed with and enforced as an order of the Provincial Court of British Columbia.

Dated: September 29, 2008

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Dispute Resolution Officer