

## DECISION

Dispute Codes FF, MNDC, MNR, MNSD, OPR, OPB

### Introduction

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

I also gave the applicant the opportunity to testify at the hearing.

The respondent was served with notice of the hearing by registered mail that was mailed on September 21, 2010 but did not join the conference call that was set up for the hearing.

All testimony was taken under affirmation.

### Issues(s) to be Decided

The application was a request for an Order of Possession based on a Notice to End Tenancy for non-payment of rent, a request for a monetary order for \$3780.00, a request that the respondent bear the \$50.00 cost of the filing fee, and a request that the applicant be allowed to keep the full security deposit towards the claim.

### Background and Evidence

The applicant testified that:

- The tenant failed to pay the September 2010 rent and was subsequently served with a 10 day Notice to End Tenancy.
- The tenant failed to comply with the notice and therefore they applied for dispute resolution.
- On October 20, 2010 they discovered that the tenant had moved out of the rental unit and left the keys on the counter.

- They therefore no longer need an Order of Possession however they are still requesting a monetary order as follows:

Outstanding September 2010 rent	\$1195.00
September 2010 late rent fee	\$20.00
Outstanding October 2010 rent	\$1195.00
Outstanding October 2010 parking fee	\$45.00
October 2010 late rent fee	\$20.00
Dispute resolution filing fee	\$50.00
Total	\$2570.00

## Analysis

The tenant has not paid September 2010 or October 2010 rent or parking fees, and since I find it unlikely that the rental unit will be re-rented before the end of October 2010 I allow the full amount claimed above.

## Conclusion

I have allowed the landlords full reduced claim of \$2570.00, and I therefore order that the landlords may retain the full security deposit of \$597.50 towards this claim and have issued a monetary order against the respondent in the amount of \$1972.50.

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: October 22, 2010.

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Dispute Resolution Officer