



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Housing and Social Development

## **DECISION**

Dispute Codes      OPR, MNR, MNSD, FF

### Introduction

Some 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 hand on November 18, 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

This is a request for a monetary order for \$800.00 and a request of the respondent bear the \$50.00 cost of the filing fee that was paid for the application for dispute resolution.

### Background and Evidence

The applicant testified that:

- The tenant failed to pay the November 2010 rent in the amount of \$550.00 and as a result she issued a 10 day Notice to End Tenancy.
- The tenant vacated the rental unit on November 22, 2010 leaving the full November 2010 rent outstanding.



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- The tenant did no cleaning when he vacated and as a result she had to do approximately 3 hours of cleaning and the tenant also took some of her food and belongings.

The applicant is therefore requesting an order as follows:

November 2010 rent outstanding	\$550.00
Filing fee	\$50.00
Total	\$850.00

The applicant further requests that she be allowed to keep the full security deposit towards this claim and that a monetary order be issued for the difference.

## Analysis

The applicant had originally requested an Order of Possession and a monetary order however by the date of the hearing the tenant had already vacated and therefore an Order of Possession is no longer required.

Rent in the amount of \$550.00 is still outstanding however, for the month of November 2010, and therefore I allow that portion of the tenants claim.

I deny the claim for cleaning and missing items because the applicant has supplied no evidence in support of his claim.

I will allow the claim for the filing fee.

## Conclusion



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I have allowed \$600.00 of the applicants claim. I therefore order that the applicant may keep the full \$250.00 security deposit towards the claim, and I have issued a monetary order in the amount of \$350.00.

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: December 09, 2010.

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Dispute Resolution Officer