



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

Dispute Codes:

OPR, MNR, MNSD, FF

Introduction

This hearing dealt with an Application for Dispute Resolution by the landlord for an Order of Possession based on the Notice to End Tenancy for Unpaid Rent dated November 6, 2011, a monetary order for rent owed and an order to retain the security deposit in partial satisfaction of the claim.

Although served with the Application for Dispute Resolution and Notice of Hearing in person on November 17, 2011, the tenant did not appear.

The landlord stated that he is no longer seeking an Order of Possession as the tenant vacated the unit on November 24, 2011. The landlord still seeks a monetary order claiming unpaid rent for the month of November, 2011.

Issue(s) to be Decided

The issue to be determined, based on the testimony and evidence, is whether or not the landlord is entitled to monetary compensation.

Background and Evidence

The landlord testified that the tenancy began in July 2011, at which time the tenant paid a security deposit of \$325.00 and pet damage deposit of \$100.00. The landlord testified that the tenant failed to pay rent for November and a 10-Day Notice to End Tenancy for Unpaid Rent was issued and served. The landlord submitted into evidence a copy of the 10-Day Notice to End Tenancy dated November 6, 2011 and a copy of the tenancy agreement.

Analysis

Based on the testimony of the landlord, I find that the tenant was served with a Notice to End Tenancy for Unpaid Rent by posting it on the door. The tenant has not paid the outstanding rent and did not apply to dispute the Notice.

I find that the landlord has established a total monetary claim of \$700.00 comprised of rent of \$650.00 for the month of November, 2011 and the \$50.00 fee paid by the landlord for this application. I order that the landlord retain the security deposit of \$425.00 in partial satisfaction of the claim leaving a balance due of \$375.00.

Conclusion

I hereby grant the Landlord an order under section 67 for \$375.00. This order must be served on the Respondent and may be filed in the Provincial Court (Small Claims) and enforced as an order of that Court.

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 01, 2011.

Residential Tenancy Branch