



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes FF, MNR, MNSD, OPC

Introduction

Some documentary evidence and written arguments have 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 applicant testified that the respondent was served with notice of the hearing by hand on July 13, 2012, however the respondent did not join the conference call that was set up for the hearing.

All testimony was taken under affirmation.

Issue(s) to be Decided

This is 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, and a request for recovery of the filing fee.

Background and Evidence

The applicant testified that:

- She withdraws the request for an Order of Possession, because the tenant has already vacated and returned possession to her.
- The tenant however has failed to pay the July 2012 rent in the amount of \$750.00.
- The tenant has also failed to pay her \$10.00 monthly parking fee.

The applicant is therefore requesting a monetary order in the amount of \$760.00 plus the filing fee of \$50.00 for a total of \$810.00.

The applicant further requests an order to retain the full security deposit of \$375.00 towards the claim and requests a monetary order be issued for the balance.

Analysis

It is my finding that the applicant has shown that rent for this unit is \$750.00 per month and that the rent for the month of July 2012 has not been paid.

I also accept the landlord's testimony that the tenant has been paying \$10.00 per month for parking and has failed to pay that fee for the month of July 2012.

I therefore allow the landlords full claim.

I also order recovery of the \$50.00 filing fee.

Conclusion

I have allow the landlords full claim of \$810.00 and I therefore order that the landlord may retain the full security deposit of \$375.00 and I have issued a monetary order in the amount of \$435.00.

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: July 24, 2012.

Residential Tenancy Branch