



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Affordable Housing Advisory Association
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes MNR, MNSD, OPR, FF

Introduction

This hearing dealt with an application by the landlord for an order of possession, a monetary order and an order authorizing her to retain the security deposit. Despite having been served with the application for dispute resolution served both by registered mail and by posting to the door of the rental unit, the tenant did not participate in the conference call hearing.

At the hearing, the landlord advised that the tenant vacated the rental unit at the end of April and withdrew the claim for an order of possession. The hearing proceeded to address only the claim for a monetary order.

Issue to be Decided

Is the landlord entitled to a monetary order as claimed?

Background and Evidence

The landlord's undisputed evidence is as follows. The tenancy began in 2011 at which time the tenant paid a \$197.50 security deposit. Under the terms of the tenancy agreement, the tenant was obligated to pay \$395.00 per month in rent. The tenant failed to pay any rent whatsoever in the month of April.

Analysis

I accept the landlord's undisputed testimony and I find that the tenant failed to pay \$395.00 in rent that was due in the month of April. I find that the landlord is entitled to recover those arrears and I award her \$395.00. As the landlord has been successful in her application, I find that she should recover the \$50.00 filing fee paid to bring her claim and I award her \$50.00 for a total entitlement of \$445.00.

I order the landlord to retain the \$197.50 security deposit in partial satisfaction of the claim and I grant her a monetary order under section 67 for the balance of \$247.50. This order may be filed in the Small Claims Division of the Provincial Court and enforced as an order of that Court.

Conclusion

The landlord is granted a monetary order for \$247.50 and will retain the security deposit.

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: May 10, 2013

Residential Tenancy Branch

