



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes

CNR, MNDC, OPR, MNR, MNSD, FF

Introduction

This hearing dealt with an application by the tenant for an order setting aside a notice to end this tenancy and for compensation for damage or loss and, a *cross-application* by the landlord for an order of possession and a monetary order. Despite having been served with the landlord's application for dispute resolution and the notice of hearing by Registered mail sent on May 12, 2015, and also themselves having made application for dispute resolution, the tenant did not participate in the conference call hearing.

The landlord advised the tenant vacated June 06, 2015 and did not provide a forwarding address. The landlord solely seeks a monetary order.

Issue(s) to be Decided

Is the landlord entitled to a monetary order as claimed?

Background and Evidence

The landlord's undisputed testimony is as follows. The tenant is obligated to pay \$780.00 per month in rent. At the outset of the tenancy the landlord collected a security deposit in the amount of \$390.00 which they retain in trust. The tenant failed to pay the rent for May 2015 and on May 01, 2015 the landlord personally served the tenant with a 10-day notice to end tenancy for unpaid rent. The tenant further failed to pay June 2015 rent and vacated June 06, 2015.

Analysis

As the tenant did not participate in the hearing to advance their claim, their claim is

dismissed without leave to reapply.

I accept the landlord's undisputed testimony and find that the tenant was obligated to pay \$780.00 per month in rent. I find that the tenant was served with a notice to end tenancy for non-payment of rent and I find the notice to be valid. The tenant has not paid the outstanding rent. I find that the landlord has established a monetary claim for unpaid rent for May and June 2015 in the respective amounts of \$780.00. The landlord is also entitled to recovery of the \$50.00 filing fee. The security deposit will be off-set from the award made herein.

Calculation for Monetary Order

Unpaid rent for May and June 2015	\$1560.00
Filing Fee	\$50.00
<i>Less Security Deposit</i>	<i>-\$390.00</i>
Total Monetary Award to landlord	\$1220.00

Conclusion

The tenant's claim is **dismissed**.

I Order that the landlord retain the security deposit of \$390.00 in partial satisfaction of the claim and I grant the landlord an Order under Section 67 of the Act for the balance due of **\$1220.00**. If necessary, this Order may be filed in the Small Claims Court and enforced as an Order of that Court.

This Decision is final and binding on both parties.

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: June 17, 2015

Residential Tenancy Branch

