



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNR, FF

Introduction

This was a hearing with respect to the landlord's application for a monetary award for unpaid rent. The hearing was conducted by conference call. The named landlord called in and participated in the hearing. The tenant did not attend, although she was personally served with the application and Notice of Hearing at the rental unit on December 10, 2016.

Issue(s) to be Decided

Is the landlord entitled to a monetary award for unpaid rent and if so, in what amount?

Background and Evidence

The rental unit is a basement suite in a house in Delta. The tenancy began in 2013 although a new tenancy agreement was created when the tenant's boyfriend moved into the unit. The monthly rent is \$1,050.00 and the tenant paid a security deposit of \$1,050.00 at the start of the tenancy. The deposit served as a security deposit and pet deposit.

The tenant failed to pay the rent for July and August, 2016 in full. The tenant eventually paid the rent for July in full on August 29, 2016. The tenant paid only \$50.00 for August rent, leaving \$1,000.00 unpaid. The tenant paid \$750.00 for September rent, leaving \$300.00 due for September. She paid \$335.00 by deposit to the landlord's bank for October, leaving \$715.00 outstanding. \$400.00 was paid for November, leaving \$650.00 owing.

The tenant moved out after she was served with the application and Notice of Hearing in December. The landlord has not included a claim for December rent; she has claimed the following amounts:

• August 2016 rent:	\$1,000.0
• September rent,	\$300.00
• October rent:	\$715.00
• November rent:	\$650.00
• Unpaid utilities:	\$363.00
Total:	\$3,028.00

Analysis

The landlord submitted documentary evidence including records of the payments by deposit made by the tenant, copies of the utility accounts and proofs of the service of a Notice to End Tenancy and of the application and Notice of Hearing. I accept the landlord's undisputed evidence that the tenant failed to pay rent and utilities in the amount claimed. The landlord is entitled to recover the \$100.00 filing fee for this application, for a total award of \$3,128.00. I order that the landlord retain the deposit of \$1,050.00 that she holds in partial satisfaction of this award and I grant the landlord an order under section 67 for the balance of \$2,078.00. This order may be registered in the Small Claims Court and enforced as an order of that court.

Conclusion

The landlord's claim has been allowed in the amount stated.

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: February 20, 2017

Residential Tenancy Branch