



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding CAPREIT LP  
and [tenant name suppressed to protect privacy]

## **DECISION**

### **Dispute Codes:**

OPR MNR

### **Introduction**

This hearing was convened in response to an application by the landlord pursuant to the *Residential Tenancy Act* (the Act) for a Monetary Order pursuant to Section 67 of the Act:

I accept the landlord's evidence that despite the tenant having been served with the application for dispute resolution and notice of hearing by posting it to their door on May 11, 2017 in accordance with Section 89 of the Act the tenant did not participate in the conference call hearing. The landlord was given full opportunity to be heard, to present evidence and to make submissions. At the outset of the hearing the landlord informed the tenant vacated May 31, 2017 and as a result they do not require an Order of Possession.

### **Issue(s) to be Decided**

Is the landlord entitled to the monetary amounts claimed?

### **Background and Evidence**

The tenancy began in April 2015 and has since ended. Rent in the amount of \$1360.51 was payable in advance on the first day of each month. At the outset of the tenancy, the landlord collected a security deposit from the tenant in the amount of \$637.50 which they retain in trust. The tenant failed to pay rent in the month of April 2017 and on April 03, 2017 the landlord served the tenant with a notice to end tenancy for non-payment of rent by posting it to their door. The tenant did not pay the rent for April 2017 and further failed to pay rent for May 2017.

### **Analysis**

Based on the landlord's evidence 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 and vacated May 31, 2017.

I find that the landlord has established a monetary claim for unpaid rent. The security deposit will be off-set from the award made herein.

*Calculation for Monetary Order*

Unpaid rent April and May 2017	\$2721.02
<i>Less Security Deposit</i>	<i>-637.50</i>
<b>Total Monetary Award</b>	<b>\$2083.52</b>

**I Order** that the landlord retain the security deposit of \$637.50 in partial satisfaction of the claim and I grant the landlord an Order under Section 67 of the Act for the balance due of **\$2083.52**. If necessary, this Order may be filed in the Small Claims Court and enforced as an Order of that Court.

**Conclusion**

The landlord's application in relevant part is granted.

**This Decision is final and binding.**

*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 19, 2017

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Residential Tenancy Branch

