



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Housing

A matter regarding JIWA VENTURES LTD.  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes MNRL-S, FFL

This hearing was convened to address two applications for Dispute Resolution made by the Landlord on April 4, 2023, and on May 10, 2023. In both applications, the Landlord claimed the following relief, pursuant to the Residential Tenancy Act (the Act):

- a monetary order for unpaid rent;
- an order permitting the Landlord to retain the security deposit held; and
- an order granting recovery of the filing fee.

The Landlord was represented at the hearing by LJ, an agent, who provided affirmed testimony. The Tenant did not attend the hearing.

At the beginning of the hearing, LJ advised that the Landlord obtained a monetary order for the unpaid rent through the Direct Request Process. In a decision dated May 15, 2023, the Landlord was granted a monetary order for \$15,800.00 for unpaid rent, plus \$100.00 in recovery of the filing fee. The file number of the related proceeding is included above for ease of reference.

On behalf of the Landlord, LJ asked if the Landlord is entitled to retain the security deposit. However, as the full amount of rent has been awarded to the Landlord, there is no current loss to which the security deposit may be credited. The Landlord was informed in general terms about operation sections 38 and 39 of the Act but was advised to contact an information officer at the Residential Tenancy Branch if he has any questions about dealing with the security deposit:

Considering the above, I find that the Landlord's applications are both dismissed without leave to reapply. For greater clarity, the Landlord remains at liberty to apply to keep the security deposit on account of damage or other losses arising from the tenancy if he elects to do so.

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: October 6, 2023

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Residential Tenancy Branch