



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards
Ministry of Housing and Social Development

Decision

Dispute Codes: OPR, MNR, MNSD, FF

Introduction

This hearing dealt with an application by the Landlord pursuant to the Residential Tenancy Act for orders as follows:

- A monetary order pursuant to Section 67;
- An order of possession, pursuant to Section 55
- An order to recover the cost of filing the Application for Arbitration pursuant to Section 72.

Background and Evidence

I find that the Notice to End Tenancy dated August 02, 2008 was served on the Tenant on August 02, 2008 by way of personal service and the Application for Arbitration dated August 11, 2008 was served on the tenant on August 12, 2008.

Despite having been served with the Notice of Arbitration, the tenant did not appear. The landlord was given full opportunity to present evidence and make submissions. On the basis of the solemnly affirmed evidence presented at the hearing a decision has been reached.

The landlord testified that the tenancy started on April 01, 2008 and the tenant paid \$ 275.00 towards the damage deposit. The tenancy was on a month to month basis and the monthly rent is \$550.00 payable on the first of the month. The landlord stated that

the tenant did not pay rent for August 2008 and moved out on September 01, 2008 leaving the suite in an unclean condition.

The landlord has not been able to rent the suite for September and has applied for \$ 550.00 as loss of income for September, 2008. The landlord is making the following claims:

- \$ 550.00 for rent owed for August.
- \$ 550.00 for loss of income for September
- \$ 50.00 for the filing fee for this application.

Analysis

Since the tenant has moved out, an order of possession is not required.

Based on the undisputed testimony of the Landlord, I accept his affirmed evidence in respect of the claim. Pursuant to section 67 I am issuing a formal order for payment. I also order that the landlord retain the security deposit and interest of \$276.85 in partial satisfaction of the claim. I grant the landlord an order under section 67 for the balance of \$873.15. This order may be filed in the Small Claims Court and enforced as an order of that Court.

I

September 10, 2008

Date of Decision

