



# Dispute Resolution Services

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

## **DECISION**

**Dispute Codes:** FF, OPC, OPB, MNSD, MNDC

### **Introduction**

This matter dealt with an application by the landlord for an order of possession as well as a monetary order for unpaid rent and loss of revenue. The landlord also seeks to recover the filing fee for this application and to retain all or part of the security deposit in full or partial satisfaction of any monetary orders.

The landlord attended the hearing which was held via teleconference, but there was no appearance by either of the tenants. The landlord gave evidence that the tenants were served the notice of hearing and the application for dispute resolution in person, on October 10, 2008. I find that based upon the evidence of the landlord, that the tenants have been properly served and that the hearing would continue in their absence.

The landlord also gave evidence that the tenants had vacated the rental unit on or about October 10, 2008, and therefore, an order of possession is no longer required.

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

Is the landlord entitled to a monetary order, and if so in what amount?

### **Background and Evidence**

The evidence of the landlord at the hearing is that the tenants did not pay the \$800.00 monthly rent owing for October 2008. The tenants vacated the rental unit on or about October 10, 2008 and the landlord has attempted to mitigate the loss of revenue by advertising the unit. The unit has been re-rented for the end of October.

The landlord claims a total of \$800.00, being rent for the first 10 days of October and the balance being loss of revenue for October 2008.

The landlord also gave evidence that she holds the security deposit of \$400.00 which was paid at the start of the tenancy on June 1, 2008.

### **Analysis**

I find based upon the undisputed evidence of the landlord at the hearing, that the landlord has established a claim for \$800.00 for rent and loss of revenue. The landlord is also entitled to recover the \$50.00 filing fee for the cost of this application for a total of \$850.00.

### **Conclusion**

I order that the landlord may retain the security deposit plus interest in the amount of \$402.51 and I grant the landlord an order for the balance of \$447.49. The order may be filed with and enforced as an order of the Provincial Court of British Columbia.

Dated: October 31, 2008