

# Dispute Resolution Services

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

## Decision

Dispute Codes: MNR, MNDC, FF

## Introduction

This hearing dealt with an application by the landlord for a monetary order. The tenant did not participate in the hearing. The landlord testified that she served the tenant by registered mail and the manager of the residential property verbally advised the tenant, who was by that time living in another rental unit, that registered mail was available for him to pick up. The tenant did not collect the registered letter. I was satisfied that the tenant had been served in accordance with the Act and the hearing proceeded in his absence.

## Issue(s) to be Decided

Is the landlord entitled to a monetary order as requested?

## Background and Evidence

The tenancy was a month-to-month tenancy and the tenant was obligated to pay \$600.00 per month in rent. The landlord testified that the tenant failed to pay rent in the month of December and did not vacate the rental unit until December 31. On December 31 the parties conducted a condition inspection of the rental unit and the tenant agreed in writing that the landlord could retain his security deposit to pay for damage to the unit. The landlord testified that the unit was left in an unclean condition and that damages had to be repaired, preventing her from re-renting the rental unit right away.

## Analysis

I accept the landlord's undisputed testimony and find that the tenant failed to pay rent in December. I am satisfied that as a result of the condition in which the tenant left the rental unit, the landlord was unable to re-rent the unit right away. I find that the landlord

is entitled to recover \$600.00 in loss of income for the month of January.

Conclusion

The landlord is awarded \$1,250.00 which represents unpaid rent for December, loss of income for January and the \$50.00 filing fee paid to bring this application. This order may be filed in the Small Claims Court and enforced as an order of that Court.

Dated March 10, 2009.