

DECISION

Dispute Codes: OPR, MNR, ET, FF, CNC

This hearing dealt with a cross applications by the parties.

At the outset of the hearing, the tenant withdrew his application to cancel the notice to end tenancy as he moved out of the unit on March 31, 2009. The landlord withdrew his application to end tenancy early and for an order of possession. I therefore dismiss the tenant's application and the landlord's application for an order of possession and to end tenancy early.

The remaining issue to be decided is whether the landlord is entitled to a monetary order for unpaid rent and loss of income.

The tenancy began on April 2, 2007. A monthly rent in the amount of \$615.00 is payable in advance on the first day of each month. The tenant failed to pay rent in the month of March 2009 and on March 2, the landlord served the tenant with a notice to end tenancy for non-payment of rent. On March 31, the tenant moved out of the unit.

During the hearing, the tenant confirmed that he has not paid the March rent. The landlord is seeking recovery of the outstanding rent for March in the amount of \$615.00. The landlord said that since the tenant has filed an application to dispute the notice to end tenancy and the hearing was not scheduled until today, he was uncertain as to if or when the tenant would end his tenancy. He is therefore seeking recovery of an additional ½ month rent for the period from April 1 to 15 in the amount of \$307.50 as loss of income.

Based on the above, I find that the landlord has established a claim for \$615.00 in unpaid rent and \$307.50 in loss of income. The landlord is also entitled to recovery of the \$50.00 filing fee. I grant the landlord an order under section 67 for the balance due

of \$972.50. This order may be filed in the Small Claims Court and enforced as an order of that Court.

Dated April 06, 2009.