

DECISION

Dispute Codes: MNDC, MNR, OPC, OPR, FF

This hearing dealt with an application by the landlords for an order of possession and a monetary order for unpaid rent and loss of income. Despite having been served with the application for dispute resolution and notice of hearing on March 26, 2009, the tenants did not participate in the conference call hearing.

At the outset of the hearing, the landlords withdrew their application for an order of possession. They explained that on March 27, 2009, they received an order of possession that resulted from a previous hearing at the Residential Tenancy Branch. They served the tenants with the order of possession and the tenants moved out on March 31, 2009.

The tenancy began on June 1, 2007. A monthly rent in the amount of \$750.00 was payable in advance on the first day of each month. On January 18, 2009, the landlords served the tenants with a notice to end tenancy for cause.

Thereafter, the tenants failed to pay rent in February and March. The landlords are therefore seeking recovery of unpaid rent for these two months in the amount of \$1500.00. The landlords said that they were unable to start re-renting the unit until after the tenants moved out on April 1. They added that they have now re-rented the unit for May 1. The landlords are therefore also seeking recovery of loss of income for the month of April in the amount of \$750.00. I find that the landlords are entitled to recovery of the loss of income for April as they did not receive the order of possession until March 27 and could not start the re-renting process until April 1.

Based on the above, I find that the landlords have established a claim for \$1500.00 in unpaid rent and \$750.00 in loss of income. The landlords are also entitled to recovery of the \$50.00 filing fee. I grant the landlords an order under

section 67 for the balance due of \$2300.00. This order may be filed in the Small Claims Court and enforced as an order of that Court.

Dated April 07, 2009.