



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes FF, MNDC, MNR

Introduction

Some documentary evidence and written arguments have been submitted prior to the hearing. I have thoroughly reviewed all submissions.

I also gave the applicants the opportunity to testify at the hearing.

The respondent was served with notice of the hearing by registered mail that was mailed on March 28th 2009 but did not join the conference call that was set up for the hearing.

All testimony was taken under affirmation.

Issues(s) to be Decided

This is a request for a monetary order for \$2400.00 for outstanding rent and lost rental revenue.

Background and Evidence

The applicant testified that:

- The tenants signed a one-year tenancy agreement with rent set at \$1600.00 per month.
- The tenants failed to pay the full rent for March 2009, and April 2009, only paying \$800 each month.



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- The tenants vacated the unit at the end of April 2009; however the landlord was able to re-rent the unit at the full \$1600.00 per month and therefore no further rent has been lost.

The landlords are therefore withdrawing their \$800.00 claim for lost income for the remainder of the lease, however they still request in order for the \$1600.00 rent that is still outstanding and for the filing fee of \$50.00 that was paid for this hearing.

Analysis

It is my decision that I will allow the full claim of \$1600.00, because the tenants did not pay \$800.00 of the rent in April 2009 and \$800.00 of the rent in March 2009.

I further ordered that the respondent bear the \$ 50.00 cost of the filing fee paid for this hearing.

Conclusion

I have issued an order for the respondent a \$1650.00 to the applicants.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Residential Tenancy Act*.

Dated: May 27, 2009.

Dispute Resolution Officer