



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Housing and Social Development

## **DECISION**

Dispute Codes            MNR, FF

### Introduction

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

I also gave the applicant's agent the opportunity to testify at the hearing.

The respondent was served with notice of the hearing by registered mail to the forwarding address given by the respondent 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 \$10,800.00 in outstanding rent and lost rental revenue.

### Background and Evidence

The applicant's agent testified that:

- The respondent signed a six month lease to rent the unit from August 2008 to the end of January 2009.
- All checks issued by the tenant were not honoured by the bank and the tenants subsequently vacated the rental unit on or about October 10, 2008.
- The landlord made several attempts to re-rent the unit including a rent reduction and an offer of two weeks free rent; however the landlord was unable to re-rent the unit until February 4, 2009.
- The landlord has therefore lost the full rental income for the full term of the lease.



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The applicant is therefore asking for an order for the respondent to pay \$10,800.00 in outstanding rent/lost revenue. The landlord is also asking that the respondent bear the \$100.00 cost of the filing fee paid for this hearing.

## Analysis

It is my decision that I will allow the full amount claimed by the landlord. The parties signed a six month lease which bound both the landlord and the tenant to the conditions of that lease. The tenant failed to comply with the conditions of the lease and as a result the landlord lost the full \$10,800.00 income he would of received over the term of the lease.

The landlord took reasonable steps to attempt to re-rent the unit but was unable to do so and therefore the tenant is liable for the full amount lost by the landlord.

## Conclusion

Have allowed the landlords full claim of \$10,800.00. I further order that the respondent bear the \$100.00 cost of the filing fee paid by the landlord for this hearing.

I have therefore issued an order for the respondent to pay \$10,900.00 to the applicant.

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: July 22, 2009.

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Dispute Resolution Officer

(Note: this decision was produced with the use of voice recognition software)