



# Dispute Resolution Services

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

## Decision

**Dispute Codes:** MNR, FF

### **Introduction**

This hearing dealt with the landlord's application for a monetary order as compensation for unpaid rent, and recovery of the filing fee. Both parties participated in the hearing and gave affirmed testimony.

### **Issues to be decided**

- Whether the landlord is entitled to either or both of the above

### **Background and Evidence**

Pursuant to a written residential tenancy agreement, the year long lease commenced July 1, 2008. Rent in the amount of \$820.00 was payable each month. While the tenancy agreement provides that rent is "due and payable in advance on the first day of each month," the tenant claims that by way of verbal agreement with the landlord, rent was due and payable in advance on the sixth (6<sup>th</sup>) day of each month. A security deposit of \$410.00.00 was collected on July 1, 2008.

The landlord's application does not reflect the full range of compensation sought by the landlord, as described in the hearing by the landlord's agent. Specifically, further to recovery of unpaid rent and the filing fee, the landlord seeks a monetary order for fees associated with late payment of rent, unpaid utilities, carpet cleaning, loss of rental income for the period between the tenant's departure from the unit and June 1, 2009 when new tenants are said to have moved in, advertising for renters, and retention of the security deposit in partial satisfaction of the claim. In view of these circumstances

the landlord's agent presently withdrew the application. The landlord has the option of reapplying.

**Conclusion**

Pursuant to all of the above, the application is presently dismissed with leave to reapply.

DATE: July 17, 2009

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Dispute Resolution Officer