

## **DECISION**

Dispute Codes      MNSD, MNDC, FF

### Introduction

A substantial amount of documentary evidence and written arguments has been submitted prior to the hearing. I have thoroughly reviewed all submissions.

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

The respondent was served with notice of the hearing by registered mail that was mailed on June 12, 2010, 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 \$1600.00, a request of the respondent bear the \$50.00 cost of the filing fee paid for the application for dispute resolution, and a request that the landlord be allowed to keep the full security deposit towards this claim.

### Background and Evidence

The applicant testified that:

- The tenant gave him Notice to End Tenancy by e-mail on November 5, 2009 stating that he would be vacating the following week.
- He was unable to re-rent the unit for the month of December 2010 and therefore lost the full rental revenue of \$1600.00.

The applicant is therefore requesting an order for the full \$1600.00 rent plus the filing fee of \$50.00 for a total order of \$1650.00.

The applicant has withdrawn his request to retain the security deposit towards this claim.

### Analysis

Under the Residential Tenancy Act the tenant is required to give one clear months Notice to End Tenancy and if he fails to do so he can be held liable for any loss resulting to the landlord.

In this case the tenant gave his notice approximately 1 week before he vacated, and as a result the landlord lost the full rental revenue for the month of December 2009.

The tenant is therefore liable for the full \$1600.00 lost rental revenue.

I also allow the landlords claim for the filing fee of \$50.00.

### Conclusion

I have issued an order for the respondent to pay \$1650.00 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 26, 2010.

---

Dispute Resolution Officer