

DECISION

Dispute Codes FF, MNR, MNSD

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 the opportunity to testify at the hearing.

The respondent was served with notice of the hearing by registered mail that was mailed on April 8, 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 \$1711.02, a request for the respondent bear the \$50.00 cost of the filing fee paid for the application for dispute resolution, and a request that the applicant be allowed to keep the full security deposit as partial satisfaction of this claim.

Background and Evidence

The applicant testified that:

- The tenants failed to pay the March 2010 rent and as a result were served with a 10 day Notice to End Tenancy for non-payment of rent.
- The tenants did not pay the rent and vacated without any notice, and she found the rental unit empty on March 15, 2010.
- She was unable to re-rent the unit in the month of March 2010, and therefore lost the full rental revenue for March 2010.

- The tenants were also responsible for the utilities in the rental unit however they left an outstanding gas bill and an outstanding Hydro bill.

The applicant is therefore requesting an order as follows:

March 2010 lost rental revenue	\$1400.00
Unpaid Gas utility	\$215.54
Unpaid Hydro utility	\$95.48
Filing fee	\$50.00
Total	\$1761.02

The applicant further requests an order that she be allowed to keep the full security deposit towards this claim and that a monetary order be issued for the balance.

Analysis

The tenants failed to pay the March 2010 rent and as a result were given a Notice to End Tenancy, however as a result of their failure to pay the rent the landlord lost the full rental revenue for the month of March 2010 and therefore the tenants are liable for that lost revenue.

The tenants were also required to pay their own utilities and failed to do so and as a result the landlord has had to cover those costs.

Therefore it is my finding that the landlord has established the full amount claimed.

Conclusion

I have allowed the landlords full claim of \$1761.02, and therefore the landlord may retain the full security deposit of \$700.00 and I have issued a monetary order against the respondent, in the amount of \$1061.02

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 30, 2010.

Dispute Resolution Officer