

Decision

Dispute Codes: MNR, MNDC, MNSD, FF

Introduction

This hearing dealt with an application by the landlords for a monetary order as compensation for unpaid rent, compensation for damage or loss under the Act, regulation or tenancy agreement, retention of the security deposit, and recovery of the filing fee. One of the landlords participated in the hearing and gave affirmed testimony.

As the tenants vacated the unit subsequent to the filing of this application, the landlord withdrew the request for an order of possession which was included in the original application.

Despite being served by way of registered mail with the application for dispute resolution and notice of hearing, the tenants did not appear.

Issues to be decided

- Whether the landlords are entitled to any or all of the above under the Act, regulation or tenancy agreement

Background and Evidence

There is no written tenancy agreement in evidence for this month-to-month tenancy which began on June 1, 2010. Rent in the amount of \$1,150.00.00 was payable in advance on the first day of each month. A security deposit of \$575.00 was collected at the outset of tenancy.

Arising from rent which was unpaid when due on October 1, 2010, the landlords issued a 10 day notice to end tenancy for unpaid rent dated October 10, 2010. The notice was served by way of posting on the tenants' door on that same date. A copy of the notice was submitted into evidence. Subsequently, the tenants made no further payment

toward rent, and vacated the unit on an unknown date without notice to the landlords, and without providing a forwarding address.

Upon entering the unit, the landlords found there was a need for cleaning and repairs. Following the completion of these tasks, around mid November 2010 the landlords undertook to start advertising the unit for rent. No new renters have yet been found.

Analysis

The full text of the Act, Regulation, Residential Tenancy Policy Guidelines, Fact Sheets, forms and more can be accessed via the website: www.rto.gov.bc.ca/

As for the monetary order, based on the documentary evidence and the affirmed / undisputed testimony of the landlord, I find that the landlords have established a claim of \$2,350.00. This is comprised of \$1,150.00 in unpaid rent for October 2010, \$1,150.00 in lost rental income for November 2010, in addition to the \$50.00 filing fee. I order that the landlords retain the security deposit of \$575.00 and I grant the landlords a monetary order under section 67 of the Act for the balance owed of \$1,775.00 (\$2,350.00 - \$575.00).

Conclusion

Pursuant to section 67 of the Act, I hereby issue a **monetary order** in favour of the landlords in the amount of **\$1,775.00**. Should it be necessary, this order may be served on the tenants, filed in the Small Claims Court and enforced as an order of that Court.

DATE: November 23, 2010

Dispute Resolution Officer