

Decision

Dispute Codes: MNDC, MNSD, FF

Introduction

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

As the tenant vacated the unit subsequent to the landlord's filing of the application, the landlord withdrew the application for an order of possession.

Despite service of the application for dispute resolution and notice of hearing by way of posting on the tenant's door on November 4, 2010, the tenant did not appear.

Issues to be decided

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

Background and Evidence

Pursuant to a written tenancy agreement, the month-to-month tenancy began on August 1, 2010. Rent in the amount of \$1,000.00 was payable in advance on the first day of each month. A security deposit of \$500.00 was collected near the outset of tenancy.

By way of e-mail dated September 30, 2010, the tenant gave notice of her intent to end the tenancy effective October 31, 2010. However, thereafter, the tenant did not vacate the unit on October 31, 2010, did not pay any rent for November, and vacated the unit at some point around mid November 2010 without any further notice to the landlord, and without providing a forwarding address. Following this, after cleaning the unit the landlord succeeded in finding new renters effective December 1, 2010.

Analysis

Based on the documentary evidence and the affirmed / undisputed testimony of the landlord, I find that the landlord has established a claim of \$1,050.00. This is comprised of \$1,000.00 in unpaid rent / loss of rental income for November 2010, in addition to the \$50.00 filing fee. I order that the landlord retain the security deposit of \$500.00 and I grant the landlord a monetary order under section 67 of the Act for the balance owed of \$550.00 (\$1,050.00 - \$500.00).

Conclusion

Pursuant to section 67 of the Act, I hereby issue a **monetary order** in favour of the landlord in the amount of \$550.00. Should it be necessary, this order may be served on the tenant, filed in the Small Claims Court and enforced as an order of that Court.

DATE: November 29, 2010

Dispute Resolution Officer