



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes MND, MNR, FF

Introduction

This was an application by the landlord for a monetary order. The hearing was conducted by conference call. The landlord's representative participated in the hearing. The tenant did not attend although he was served with the application and Notice of Hearing sent on October 28, 2010

Issues(s) to be Decided

Is the landlord entitled to a monetary award and if so, in what amount?

Background and Evidence

The tenancy began in February 2008. On October 4, 2010 the landlord served the tenant with a 10 day Notice to End Tenancy for unpaid rent. The tenant abandoned the rental unit on or about October 20, 2010 without paying rent for October. The landlord claimed payment of unpaid rent for September in the amount of \$100.00, rent for October and November in the amount of \$581.00 per month and the sum of \$437.58 being the cost to replace a toilet in August, 2010 that the tenant agreed he was responsible. The landlord also claimed payment of the sum of \$193.50, being the cost to remove garbage that the tenant left in the rental unit.

Analysis

I find that the landlord is entitled to the amounts claimed, save for the rent claimed for November. The landlord's representative testified that the landlord did not rent the unit

for November because repairs, painting and upgrades had to be done. The landlord did not claim that the tenant was responsible for the repairs and painting except for the toilet repair which was done in August before the tenant moved out and I find that the tenant should not be responsible for loss of revenue for November when he moved out in October pursuant to the Notice to End Tenancy given by the landlord.

Conclusion

I grant the landlord a monetary award in the amount of \$1,312.08. The landlord is entitled to recover the \$50.00 filing fee for this application for a total award of \$1,362.08 and I grant the landlord an order under section 67 in the said amount. This order may be registered in the Small Claims Court and enforced as an order of that court.

Dated: November 23, 2010.
