



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Public Safety and Solicitor General

## **DECISION**

Dispute Codes      MNR, MNSD, FF

### Introduction

- This hearing was convened in response to an application by the landlord pursuant to the *Residential Tenancy Act* (the “Act”) for Orders as follows:
- A Monetary Order for unpaid rent / loss of revenue - Section 67;
- An Order to retain the security / pet deposit - Section 38
- An Order to recover the filing fee for this application - Section 72.
- I accept the landlord’s evidence that the Tenant was served the application for dispute resolution and notice of hearing by registered mail in accordance with Section 89 of the Act. The Tenant did not participate in the conference call hearing.

The Landlord was given full opportunity to be heard, to present evidence and to make submissions.

### Issue(s) to be Decided

Is the Landlord entitled to the monetary amounts claimed?

### Background and Evidence

The tenancy of a fully furnished suite began on August 1, 2010. Rent in the amount of \$1,300.00 is payable in advance on the first day of each month. At the outset of the tenancy, the Landlord collected a security deposit from the Tenant in the amount of \$650.00. The Tenant abandoned the rental unit on January 31, 2011 without notice and failed to pay rent in the month of February. The Landlord states that vase was missing

from the suite and claims it was worth \$40.00 but has no evidence of value or replacement cost. The quantum of the Landlord's monetary claim is **\$1,340.00**.

### Analysis

Based on the Landlord's testimony, I find that the Tenant abandoned the rental unit and did not pay rent for February 2011 or provide appropriate notice to end the tenancy. Based on the above facts I find that the Landlord is entitled to monetary claim for **\$1,300.00** in lost rent revenue. The Landlord has not provided sufficient evidence in relation to the vase and that claim is therefore dismissed. The Landlord is entitled to recovery of the \$50 filing fee, for a total entitlement of **\$1,350.00**.

The **security deposit** will be off-set from the award made herein.

### ***Calculation for Monetary Order***

Loss of rent revenue	\$1,300.00
Filing Fees for the cost of this application	50.00
<b>Subtotal</b>	<b>1,350.00</b>
Less Security Deposit and interest <i>to date</i>	-650.00
<b>Total Monetary Award</b>	<b>\$700.00</b>

### Conclusion

**I order** that the Landlord retain the **deposit** and interest of \$650.00 in partial satisfaction of the claim and I grant the Landlord an order under Section 67 of the Act for the balance due of **\$700.00**. If necessary, this order may be filed in the Small Claims Court and enforced as an order of that Court.

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: March 14, 2011.

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Residential Tenancy Branch