



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Public Safety and Solicitor General

## **DECISION**

Dispute Codes      OPR, MNR, MNDC, FF

### 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 February 23, 2011, but did not join the conference call that was set up for the hearing.

All testimony was taken under affirmation.

### Issue(s) to be Decided

This is a request for an Order of Possession and for a monetary Order for \$2265.00. The applicant is also requesting recovery of the \$50.00 Filing fee.

### Background and Evidence

The applicant testified that:

- The tenants have moved out of the rental unit and therefore they no longer need an Order of Possession.
- The tenants failed to pay the February rent of \$725.00 and as a result a Notice to End Tenancy was served on the tenants on February 2, 2011.
- The tenants vacated on February 28, 2011 however the landlords were unable to re-rent the unit right away and therefore lost a portion of the March 2011 rent.

The applicants are therefore requesting an order as follows:

February 2011 rent outstanding	\$725.00
February 2011 parking charge	\$10.00
Lost rental revenue for March 2011	\$257.26
Filing fee	\$50.00
Total	\$1062.26

### Analysis

It is my decision that the applicants have established the full reduced amount claimed.

The tenants were in the rental unit for the full month of February 2011 and therefore will allow the full February 2011 rent and parking charge.

The tenants agreed to pay a \$20.00 late fee if the rent was late, and therefore I allow the claim for of February 2011 late fee.

Because the tenants were evicted for non-payment of rent the landlords also lost rental income in the month of March 2011, and therefore I allow that portion of the claim as well.

I also order recovery of the filing fee.

### Conclusion

I have allowed be landlords full claim and have issued a monetary order in the amount of \$1062.26.

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 10, 2011.

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Residential Tenancy Branch