



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Ministry of Public Safety and Solicitor General

DECISION

Dispute Codes MNSD, MNR, FF

Introduction

A substantial amount of 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 November 18, 2010, 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 a monetary order for a \$2511.04. The applicants are also requesting recovery of the \$50.00 filing fee

Background and Evidence

The applicants testified that:

- The tenants paid no rent in the month of November 2010, and vacated November 20, 2010.
- They were unable to re-rent it in the month of November and therefore lost the full November 2010 rent of \$2000.00.

- The tenants also failed to pay the utilities they were required to pay under the tenancy agreement and therefore they are also asking for the outstanding utilities.

The applicants are therefore requesting an order as follows:

November 2010 rent	\$2000.00
Outstanding Terasen Gas utilities bill	\$278.00
Filing fee	\$50.00
Total	\$2561.04

The applicant's further request an order allowing them to keep the full security deposit towards this claim and that a monetary order be issued for the balance.

Analysis

It is my decision that I allow the full amount claimed by the landlords.

The tenants did not move out of the rental unit until November 20, 2010, and since the landlords were unable to re-rent the unit in the month of November the tenants are liable for the full November rental revenue of \$2000.00.

The tenants were also responsible for the utilities and failed to pay them and therefore I allow the landlords claim for those outstanding utilities.

I also order recovery of the \$50 filing fee.

Conclusion

I have allowed the landlords full claim of \$2561.04, and I therefore order that the landlord may retain the full security deposit of \$1000.00, and I have issued a monetary order in the amount of \$1561.04.

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.

Residential Tenancy Branch