



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Public Safety and Solicitor General

DECISION

Dispute Codes MNR, MNDC, FF

Introduction

This hearing dealt with an application by the landlord for a monetary order for loss of income. The landlord participated in the conference call hearing but the tenant did not. The landlord presented evidence that the tenant was served with the application for dispute resolution and notice of hearing by registered mail. I found that the tenant had been properly served with notice of the landlord's claim and the date and time of the hearing and the hearing proceeded in her absence.

Issue(s) to be Decided

Is the landlord entitled to a monetary order?

Background and Evidence

The tenant and landlord entered into a tenancy agreement that was to commence on January 15, 2011. The tenant informed the landlord on January 1, 2011 that she would not be moving into the rental unit. The landlord advised that through mutual discussions that the tenant and landlord came to a settlement that \$425.00 would be fair compensation for breaking the rental agreement.

Analysis

I accept the landlord's undisputed testimony and I find based on the above facts that the landlord is entitled to a monetary order. I find that the landlord has established a claim for \$425.00 for loss of income. I grant the landlord an order under section 67 for the balance due of \$425.00. This order may be filed in the Small Claims Division of the Provincial Court and enforced as an order of that Court.

Conclusion

The landlord is entitled to a monetary order for \$425.00.

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 01, 2011.

Residential Tenancy Branch