



# Dispute Resolution Services

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      FF, MNDC

### Introduction

This hearing dealt with an application by the landlord for a monetary order. 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 on February 10, 2011. 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 their absence. The landlord gave affirmed evidence.

### Issues to be Decided

Is the landlord entitled to a monetary order for loss of income?

### Background and Evidence

The tenancy was to begin on or about February 1, 2011. Rent in the amount of \$1650.00 is payable in advance on the first day of each month. The landlord gave testimony to the following; a cheque for the security deposit was given to the landlord in mid January, on January 26, 2011 the tenant sent a text message to the landlord that she would not be moving into the rental unit and put a stop payment on the cheque.

### Analysis

I accept the landlord's undisputed testimony. The landlord provided documentary evidence that there was a tenancy in place and I am satisfied that the landlord has

proven their claim. The landlord is entitled to the equivalent to one months' rent as compensation.

As for the monetary order, I find that the landlord has established a claim for \$1650.00 in unpaid rent. The landlord is also entitled to recovery of the \$50.00 filing fee. I grant the landlord an order under section 67 for the balance due of \$1700.00. 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 granted an order of possession and a monetary order for \$1700.00.

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: April 08, 2011.

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Residential Tenancy Branch