



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: MNR, MND, MNDC, MNSD, FF

Introduction

This hearing was scheduled in response to an application by the landlord for a monetary order as compensation for unpaid rent / compensation for damage to the unit, site or property / compensation for damage or loss under the Act, Regulation or tenancy agreement / retention of the security deposit / and recovery of the filing fee. Both parties participated in the hearing and gave affirmed testimony.

Issue(s) to be Decided

Whether the landlord is entitled to any of the above under the Act, Regulation or tenancy agreement.

Background and Evidence

Pursuant to a written tenancy agreement, the fixed term of tenancy was from January 1 to December 31, 2011. Monthly rent of \$1,975.00 was payable in advance on the first day of each month, and a security deposit of \$987.50 was collected. A move-in condition inspection and report were completed at the outset of tenancy.

The tenants vacated the unit effective September 30, 2011. The time proposed by the landlord for a move-out condition inspection did not suit the tenants' as they had by that time vacated the unit. In the result, the landlord completed the move-out condition inspection report herself. The tenants provided a forwarding address to the landlord on October 17, 2011, and the landlord then filed her application for dispute resolution on October 25, 2011. New renters were found for the unit effective December 1, 2011.

Analysis

The particular aspects of the landlord's claim are set out below:

\$3,950.00: 2 months' loss of rental income October / November (2 x \$1,975.00)

\$ 39.34: water bill

\$ 392.00: cost of repairs and painting

\$ 50.00: filing fee

Total: \$4,431.34

The tenant participating in the hearing did not dispute any aspects of the landlord's claim. Accordingly, I find that the landlord has established a claim of \$4,431.34. I order that the landlord retain the security deposit of \$987.50, and I grant the landlord a monetary order under section 67 of the Act for the balance owed of \$3,443.84 (\$4,431.34 - \$987.50).

Conclusion

Pursuant to section 67 of the Act, I hereby issue a monetary order in favour of the landlord in the amount of \$3,443.84. Should it be necessary, this Order may be served on the tenants, 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: January 18, 2012.

Residential Tenancy Branch