



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MNSD, MNR

### 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 applicant testified that the respondent(s) were served with notice of the hearing by registered mail that was mailed on December 29, 2011 to the forwarding address provided by the respondents; however the respondent(s) 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 to retain the full security deposit of \$325.00 towards lost rental revenue.

### Background and Evidence

The applicant testified that:

- The tenants signed a fixed term tenancy agreement that ran until December 31, 2011.
- The tenants failed to pay their December 2011 rent and subsequently vacated the rental unit on December 11, 2011.

- They were unable to re-rent the unit for the remainder of December 2011 and therefore lost the full rental revenue of \$650.00.

The applicants are therefore requesting an order allowing them to keep the full security deposit of \$325.00 to cover a portion of that lost rental revenue.

### Analysis

It is my finding that the tenants breached the fixed term tenancy agreement by failing to pay the December 2011 rent and therefore they are liable for the full rental revenue for that month.

I therefore allow the landlords full claim against the security deposit.

### Conclusion

I hereby order that the landlords may retain the full security deposit of \$325.00 to cover a portion of the \$650.00 lost rental revenue for the month of December 2011.

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 05, 2012.

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Residential Tenancy Branch