

DECISION

Dispute Codes MNR, MND, FF

Introduction

This is an application filed by the Landlord for a monetary order request for unpaid rent and damage to the unit, site or property and recovery of the filing fee.

The Landlord attended the hearing by conference call and gave undisputed testimony. The Tenants did not attend. The Landlord states that the Tenants was served the notice of hearing and evidence package by Canada Post Registered Mail on February 25, 2012 and has submitted the Customer Receipt and Internet print out of confirmation that the Tenants received the package. As such, I find that the Tenants were properly served with the notice of hearing and evidence package by Canada Post Registered mail under the Act.

Issue(s) to be Decided

Is the Landlord entitled to a monetary order?

Background and Evidence

This Tenancy began on January 1, 2009 on a month to month basis as shown in the submitted copy of the signed tenancy agreement. The monthly rent was \$643.00 which was later adjusted in October of 2010 to \$511.00 per month. The Tenants gave notice to vacate the rental unit on January 25, 2011 by email and moved out on February 2, 2011.

The Landlord seeks \$511.00 for loss of rental income because the Tenants failed to provide the proper 1 month notice to end tenancy. The Landlord also seeks to recover \$15.00 for "chargebacks" which is for labour costs for the repair of 2 small holes in the lino in the living room and 1 small cut on the lino in the kitchen area. The Landlord states that the repairs took ½ hour @ \$30.00 per hour to total \$15.00. The Landlord has submitted copies of the condition inspection report for the move-out as well as an internal work out outlining the repairs made.

Analysis

I accept the undisputed testimony of the Landlord and find that the Tenant failed to provide proper notice to end the tenancy and is responsible for the Landlord's loss of rental income. I also find based upon the documentary material and the undisputed testimony of the Landlord that the Tenant is responsible for the repair costs incurred by the Landlord. The Landlord has established their claim for recovery of \$526.00. The Landlord is also entitled to recovery of the \$50.00 filing fee. The Landlord is granted a monetary order under section 67 for the balance due of \$576.00. 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 a monetary order for \$576.00.

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 27, 2012.

Residential Tenancy Branch