



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR MNR MNSD MNDC FF

Introduction

This hearing dealt with an application by the landlord for an order of possession, a monetary order and an order to retain the security deposit in partial satisfaction of the claim. Despite having been served with the application for dispute resolution and notice of hearing by registered mail on April 24, 2012, the tenant did not participate in the conference call hearing.

At the outset of the hearing the landlord stated that it came to their attention on May 4, 2012 that the tenant had vacated the rental unit. Accordingly, I dismissed the portion of the landlord's application regarding an order of possession.

The landlord submitted evidence that they did not serve on the tenant. I did not admit or consider that evidence.

Issue(s) to be Decided

Is the landlord entitled to monetary compensation as claimed?

Background and Evidence

The tenancy began on January 16, 2012. Rent in the amount of \$2150 was payable in advance on the first day of each month. At the outset of the tenancy, the landlord collected a security deposit from the tenant in the amount of \$1075. The tenant failed to pay rent in the month of April 2012 and on April 18, 2012 the landlord personally served the tenant with a notice to end tenancy for non-payment of rent. The tenant further failed to pay rent in the month of May 2012. The landlord has claimed \$4300 in unpaid rent and lost revenue for April and May 2012.

Analysis

Based on the landlord's undisputed evidence, I find they are entitled to \$4300 for unpaid rent and lost revenue for April and May 2012.

The landlord is also entitled to recovery of the \$50 filing fee for the cost of their application.

Conclusion

The landlord is entitled to \$4350. I order that the landlord retain the security deposit of \$1075 in partial satisfaction of the claim and I grant the landlord an order under section 67 for the balance due of \$3275. This order may be 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: May 17, 2012.

Residential Tenancy Branch