



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes: OPR, MNR, MND, FF

### Introduction

This hearing was scheduled in response to the landlord's application for an order of possession / a monetary order as compensation for unpaid rent / compensation for damage to the unit, site or property / and recovery of the filing fee. The landlord participated in the hearing and gave affirmed testimony. Despite in-person service of the application for dispute resolution and notice of hearing on May 25, 2012, the tenant did not appear.

During the hearing the landlord testified that the tenant vacated the unit on or about June 2 or 3, 2012. Accordingly, the landlord withdrew his application for an order of possession.

### 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

There is no written tenancy agreement in evidence for this month-to-month tenancy which began in October 2011. Monthly rent of \$650.00 was due and payable on the first day of each month. No security deposit was collected and no move-in condition inspection report was completed.

Arising from rent which remained unpaid when due on May 1, 2012, the landlord issued a 10 day notice to end tenancy for unpaid rent dated May 10, 2012. The notice was served in-person on the tenant on that same date. A copy of the notice was submitted in evidence. Subsequently, the tenant made no further payment toward rent and vacated the unit on or about June 2 or 3, 2012. The landlord testified that the unit required cleaning and some repairs to minor damage after the tenant vacated. The landlord also claimed that the tenant left behind garbage and certain discarded belongings, that she did not provide a forwarding address and that she did not return

the unit keys. No move-out condition inspection report was completed. After advertising, the landlord succeeded in finding new renters effective July 1, 2012.

### Analysis

The full text of the Act, Regulation, Residential Tenancy Policy Guidelines, Fact Sheets, forms and more can be accessed via the website: [www.rto.gov.bc.ca](http://www.rto.gov.bc.ca)

Based on the documentary evidence and the affirmed / undisputed testimony of the landlord, I find that the tenant was served with a 10 day notice to end tenancy for unpaid rent dated May 10, 2012. I also find that the tenant subsequently made no further payment toward rent, that she vacated the unit in early June without providing a forwarding address, and that the unit was in need of cleaning and repairs before being suitable for new renters.

Following from all of the above, I find that the landlord has established entitlement to compensation in the amount of \$1,025.00, which is comprised as follows:

\$650.00: unpaid rent for May 2012

\$325.00: unpaid rent / loss of rental income for the period June 1 – 15, 2012

\$50.00: filing fee

### Conclusion

Pursuant to section 67 of the Act, I hereby issue a **monetary order** in favour of the landlord in the amount of **\$1,025.00**. This order may be served on the tenant, 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: June 13, 2012.

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Residential Tenancy Branch