



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MNDC, FF

### Introduction

Some documentary evidence and written arguments have been submitted by the parties prior to the hearing. I have thoroughly reviewed all submissions.

I also gave the parties the opportunity to give their evidence orally and the parties were given the opportunity to ask questions of the other parties.

All testimony was taken under affirmation.

### Issue(s) to be Decided

This is an application for a monetary order in the amount of \$650.00 and a request for recovery of the \$50.00 filing fee.

### Background and Evidence

The applicant testified that:

- The tenant did not give the required one month Notice to End Tenancy, notice was given on November 5, 2011 to vacate on November 30, 2011.
- She attempted to re-rent the unit for December 2011 however she was unable to do so and lost the full \$650.00 rental revenue for that month.
- She is therefore requesting a monetary order for the lost rental revenue, and her filing fee for a total of \$700.00.

The respondent testified that:

- She did give her notice on November 5, 2011, to vacate on November 30, 2011, because she believed the rental unit was not a safe place to live.
- She also believes that the landlord did not take reasonable steps to re-rent the unit, as the only ads she has seen were placed on November 23, 2011 and December 14, 2011.

### Analysis

The respondent claims that she vacated on short notice because the rental unit was not a safe place to live; however she has supplied no evidence in support of this claim.

The respondent also argues that the landlord did not take reasonable steps to re-rent the unit, however it is my finding that the landlord did take reasonable steps and ran advertisements to attempt to re-rent the unit.

The Residential Tenancy Act requires that a tenant give one clear month Notice to End Tenancy and therefore if the tenant wanted to end the tenancy for November 30, 2011, the Notice to End Tenancy would have to have been given in the month of October 2011.

It is therefore my decision that the tenant is liable for the lost rental revenue for the month of December 2011.

I also allow the request for recovery of the filing fee.

### Conclusion

I have issued a monetary order in the amount of \$700.00.

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: July 17, 2012.

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Residential Tenancy Branch