



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes FF, MNR, OPR

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 was served with notice of the hearing by hand on August 23, 2012 however the respondent 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 for an order of possession based on a Notice to End Tenancy for nonpayment of rent, and a request for a monetary order for \$1355.00.

Background and Evidence

The applicant testified that:

- This tenancy began on October 1, 2009 with a monthly rent of \$450.00.
- The tenant had fallen behind on the rent and therefore on August 13, 2012 the tenant was personally served with a 10 day Notice to End Tenancy for nonpayment rent.
- The tenant subsequently vacated the rental unit on August 23, 2012, and therefore he no longer requires an order of possession.
- He attempted to re-rent the unit but as yet has been unsuccessful.
- The tenant however still owes a significant amount of rent and outstanding utilities, and therefore he is requesting a monetary order as follows:

July 2012 rent outstanding	\$320.00
August 2012 rent outstanding	\$450.00
September 2012 lost rental revenue	\$450.00
Electrical utilities outstanding	\$60.00
Internet bill outstanding	\$25.00
Filing fee	\$50.00
Total	\$1355.00

Analysis

The applicant has stated that he no longer requires an order of possession because the tenant has vacated and therefore no order is issued.

It is my finding however that the applicant has shown that the tenant has failed to pay \$320.00 of the July 2012 rent, and the full August 2012 rent of \$450.00 and therefore I allow the landlords claim for that outstanding rent.

I also accept the landlords claim that he is been unable to re-rent the unit for the month of September 2012 and therefore I also allow the claim for lost rental revenue.

The tenant was also liable for 50% of the utilities and I therefore also allow the claim for outstanding utilities and Internet.

I further order recovery of the \$50 filing fee.

Conclusion

I have issued an order for the respondent to pay \$1355.00 to the applicant.

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: September 24, 2012.

Residential Tenancy Branch