



# Dispute Resolution Services

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      OPR, OPC, OPB, MNR, MNSD, FF

### Introduction

This hearing dealt with an application by the landlords for an order of possession, a monetary order and an order permitting them to retain the security deposit in partial satisfaction of the claim. Despite having been personally served with the application for dispute resolution and notice of hearing on August 12 and with the amended application for dispute resolution on August 17, the tenants did not participate in the conference call hearing.

At the hearing the landlord advised that the tenants vacated the rental unit on September 1. As an order of possession is no longer required, I consider that part of the application to have been withdrawn.

### Issue to be Decided

Are the landlords entitled to a monetary order as claimed?

### Background and Evidence

The landlord's undisputed testimony is as follows. The tenancy began on January 1, 2011 at which time the tenants paid a \$375.00 security deposit. The tenants were served with a one month notice to end tenancy on July 17, 2012 which established the end of tenancy as August 31, 2012. The tenants were obligated to pay \$886.00 per month in rent. They failed to pay any rent in the month of August and advised the landlords that they did not intend to vacate the rental unit on August 31 as required by the notice to end tenancy. As a result, the landlords were unable to re-rent the unit for the month of September. The landlords further testified that when the tenants vacated, they left damage which would require repair.

Analysis

I accept the undisputed evidence of the landlords and I find that the tenants failed to pay rent in the month of August and that their failure to comply with the notice to end tenancy and their failure to adequately clean the rental unit caused the landlord to lose income for the month of September. I award the landlords \$1,822.00 which represents 2 months rent and the \$50.00 filing fee paid to bring this application, which I find the landlords are entitled to recover. I order the landlords to retain the \$375.00 security deposit in partial satisfaction of the claim and I grant them a monetary order under section 67 for the balance of \$1,447.00. This order may be filed in the Small Claims Division of the Provincial Court and enforced as an order of that Court.

Conclusion

The landlords are granted a monetary order for \$1,447.00.

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: September 11, 2012

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Residential Tenancy Branch