



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNR, FF

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(s) were served with notice of the hearing by personal service and registered mail on August 28, 2012, however the respondent(s) 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, a request for a monetary order for \$5,000.00, and a request for recovery of the \$50.00 filing fee.

Background and Evidence

The applicant testified that:

- The tenants fell behind on the rent and therefore on August 21, 2012 she personally served the tenants with a 10 day Notice to End Tenancy for nonpayment of rent.
- The tenants failed to comply with that notice within the 10 day period, however they subsequently vacated on September 15, 2012, and therefore she no longer needs an order of possession.
- The tenants however failed to pay the outstanding rent, failed to pay any September 2012 rent, and she has also lost one half the rent for the month of October 2012. The unit has been re-rented for October 15, 2012.

The applicant is therefore requesting a monetary order as follows:

Rent outstanding for June 2012	\$200.00
Rent outstanding for July 2012	\$1200.00
Rent outstanding for August 2012	\$1200.00
Rent outstanding for September 2012	\$1200.00
Lost rental revenue for October 2012	\$600.00
Filing fee	\$50.00
Total	\$4450.00

Analysis

It is my finding that the landlord has shown that the tenants have a total of \$3800.00 in outstanding rent.

It is also my finding that the tenants failure to vacate the rental unit in a timely matter has also prevented the landlord from re-renting the unit for the full month of October 2012, resulting in a \$600.00 loss in rental revenue.

I therefore allow the landlords full claim.

I also order recovery of the \$50.00 filing fee

Conclusion

I have issued an order for the respondents to pay \$4450.00 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: October 02, 2012.

Residential Tenancy Branch