



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MNR, MNSD, FF

### Introduction

This is an application filed by the Landlord for a monetary order for unpaid rent and utilities, to keep all or part of the security deposit and recovery of the filing fee.

Both parties attended the hearing by conference call and gave testimony. As both parties have attended the hearing and have confirmed receipt of the notice of hearing package and the submitted evidence, I am satisfied that both parties have been properly served.

During the hearing, the Tenant stated that she has moved since the Landlord filed this application for dispute and has supplied a new address for service. The application shall be updated to reflect the new address.

### Issue(s) to be Decided

Is the Landlord entitled to a monetary order?

### Background and Evidence

Both parties agreed that the monthly rent was \$1,350.00 payable on the 1<sup>st</sup> of each month and a security deposit of \$675.00 was paid and is currently held by the Landlord. Both parties further agreed that the Tenant vacated the rental unit on January 15, 2013 and that the Tenant provided notice to vacate on January 10, 2013. The Tenant stated in her direct testimony that no rent was paid for January and February of 2013.

The Landlord seeks a monetary order for \$2,700.00 which consists of \$1,350.00 in unpaid rent for January 2013 and \$1,350.00 for the loss of rental income for February 2013 for lack of notice and that the Landlord was unable to re-rent the unit.

Analysis

I accept the undisputed testimony of both parties and find that the Landlord has established a monetary claim of \$2,700.00 for unpaid rent and loss of rental income. The Landlord is also entitled to recovery of the \$50.00 filing fee. I order that the Landlord retain the \$675.00 security deposit in partial satisfaction of the claim and I grant a monetary order under section 67 for a balance due of \$2,075.00. This order may be filed in the Small Claims Division of the Provincial Court and enforced as an Order of that Court.

Conclusion

The Landlord is granted a monetary order for \$2,075.00.  
The Landlord may retain the security deposit.

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: April 16, 2013

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Residential Tenancy Branch