



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR MNR MNSD FF

Introduction

This hearing dealt with an application by the landlord for an order of possession, a monetary order and an order to retain the security deposit in partial satisfaction of the claim.

The landlord participated in the teleconference hearing, but the tenant did not call into the hearing. On June 12, 2013 the landlord served the tenant with the application for dispute resolution and notice of hearing by registered mail. The tenant sent an email to the Residential Tenancy Branch indicating that she received notice of the hearing in mid-June 2013. I therefore proceeded with the hearing in the absence of the tenant.

The landlord stated that he no longer required an order of possession, as the tenant moved out at the beginning of July 2013. I therefore dismissed the portion of the landlord's application regarding an order of possession.

Issue(s) to be Decided

Is the landlord entitled to monetary compensation as claimed?

Background and Evidence

The tenancy began on October 1, 2012. Rent in the amount of \$2200 was payable in advance on the first day of each month. At the outset of the tenancy, the landlord collected a security deposit from the tenant in the amount of \$1100. The tenant failed to pay rent in the month of June 2013 and on June 4, 2013 the landlord served the tenant with a notice to end tenancy for non-payment of rent. The tenant further failed to pay rent in the month of July 2013. The landlord stated that the tenant has not returned the

keys to the rental unit and has left a lot of garbage behind, so the landlord has been unable to re-rent the unit for July 2013.

Analysis

Based on the landlord's undisputed evidence, I find that he is entitled to unpaid rent for June 2013 and lost revenue for July 2013, totalling \$4400. The landlord is also entitled to recovery of the \$50 filing fee for the cost of his application.

Conclusion

The landlord is entitled to \$4450. I order that the landlord retain the security deposit of \$1100 in partial satisfaction of the claim and I grant the landlord an order under section 67 for the balance due of \$3350. This order may be filed in the Small Claims Court and enforced as an order of that Court.

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 23, 2013

Residential Tenancy Branch