



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNR, FF

Introduction

This is an application for a monetary order for unpaid rent and the recovery of the filing fee.

The Landlord attended the hearing by conference call and gave undisputed testimony. The Tenant did not attend. The Landlord states that the Tenant was served with the notice of hearing package and the submitted documentary evidence on May 8, 2013 by Canada Post Registered Mail and has submitted copies of the Customer Receipt Tracking number and a print out of the online tracking record as confirmation. The Landlord states that the address used for service was received in the Tenant's Application in another Dispute Resolution Hearing filed by the Tenant and was confirmed at the end of that hearing on May 10, 2013. I accept the undisputed testimony of the Landlord and find that the Tenant has been properly served.

Issue(s) to be Decided

Is the Landlord entitled to a monetary order?

Background and Evidence

This Tenancy began on January 31, 2013 a fixed term tenancy ending on May 31, 2013 as shown by the submitted copy of the signed tenancy agreement. The monthly rent was \$1,300.00.

The Landlord received a written notice to vacate from the Tenant dated April 23, 2013 to end the tenancy May 31, 2013. The Landlord states that the Tenant breached her tenancy and moved out on April 30, 2013 without notice and failed to pay rent for May 2013 of \$1,300.00. The Landlord stated in his direct testimony that as soon as they

realised that the Tenant had left they made attempts to re-rent the unit without success. The Landlord seeks a monetary order for \$1,300.00.

Analysis

I accept the undisputed testimony of the Landlord and find that the Tenant ended the tenancy prematurely without proper notice. I also find that the Landlord made reasonable attempts to mitigate any losses by trying to re-rent the unit. The Landlord has established a monetary claim of \$1,300.00 for the loss of rental income for May 2013.

The Landlord is also entitled to recovery of the \$50.00 filing fee. The Landlord is granted a monetary order for \$1,350.00. 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 \$1,350.00.

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: July 30, 2013

Residential Tenancy Branch