



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Mainstreet Equity Corp.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes MNSD, MNDC, FF

Introduction

This is an application for a monetary order for \$1100.00, a request for recovery of the \$50.00 filing fee, and a request to retain the full security deposit of \$550.00 towards the claim.

Some documentary evidence and written arguments have 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 registered mail that was mailed on May 16, 2013; however the respondent(s) did not join the conference call that was set up for the hearing.

It's my finding that the respondents have been properly served with notice of today's hearing.

All testimony was taken under affirmation.

Issue(s) to be Decided

Has the applicant established a monetary claim against the respondent's for \$1100.00?

Background and Evidence

The applicant testified that:

- The tenants did not give the required one clear month Notice to End Tenancy.

- The tenants gave their Notice to End Tenancy on the same day that they vacated, April 30, 2013.
- They ran ads attempting to re-rent the unit; however it did not re-rent until July 2013.
- Therefore since the notice given by the tenants would legally have ended the tenancy at the end of May 2013, they are requesting a monetary order for lost rental revenue for the month of May 2013.

Analysis

It is my finding that the applicants have shown that the tenants failed to give the required one clear month Notice to End Tenancy and that as a result of that failure to give the proper notice the landlords had a loss of rental revenue for the month of May 2013 in the amount of \$1100.00. I therefore allow the landlords claim for that lost rental revenue.

I also allow the request for recovery of the \$50.00 filing fee.

Conclusion

I have allowed the landlords full claim of \$1150.00 and I therefore order that the landlords may retain the full security deposit of \$550.00, and I have issued a monetary order in the amount of \$600.00.

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: August 19, 2013

Residential Tenancy Branch

