



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNR, FF

Introduction

This is an application for a Monetary Order for \$1600.00 and a request for recovery of the \$50.00 filing fee.

The applicant testified that the respondent(s) were served with notice of the hearing by June 25, 2013; however the respondent(s) did not join the conference call that was set up for the hearing.

Pursuant to section 90 of the Residential Tenancy Act, documents sent by registered mail are deemed served five days after mailing and therefore it is my finding that the respondent(s) have been properly served with notice of the hearing.

All testimony was taken under affirmation.

Issue(s) to be Decided

Is the applicant entitled to a Monetary Order for \$1600.00, and recovery of the \$50.00 filing fee?

Background and Evidence

The applicant testified that:

- This tenancy began on March 1, 2013 with the monthly rent of \$800.00.
- The tenants failed to pay the June 2013 rent, and then subsequently on June 3, 2013 they informed her that they were vacating the rental unit and would not be paying the rent.

- The tenants were fully out of the rental unit by approximately June 9, 2013 and although she attempted to re-rent the unit she was unable to rent it until July 15, 2013.
- She collected \$400.00 for July 2013 and therefore she is reducing her claim by \$400.00.
- She is therefore requesting an order for the outstanding June 2013 rent and for the lost rental revenue for the month of July 2013.

The total amount requested is as follows:

June 2013 rent outstanding	\$800.00
July 2013 lost rental revenue	\$400.00
Filing fee	\$50.00
Total	\$1250.00

Analysis

It is my finding that the respondents failed to give the required one clear month Notice to End Tenancy and as a result the landlord has lost the full rental revenue for the month of June 2013, and one half of the rental revenue for the month of July 2013. I therefore allow the landlords request for that lost rental revenue.

I also order recovery of the \$50.00 filing fee.

Conclusion

I have allowed the landlords full reduced claim, and I've issued a monetary order in the amount of \$1250.00.

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: September 25, 2013

Residential Tenancy Branch

