



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNR, MNDC, FF

Introduction

This is an application filed by the Landlord for a monetary claim for unpaid rent or utilities, for money owed or compensation for damage or loss and recovery of the filing fee.

The Landlord attended the hearing by conference call and gave undisputed testimony. The Tenant did not attend or submit any documentary evidence. The Landlord states that both Tenants were served with the notice of hearing packages and the submitted documentary evidence by Canada Post Registered Mail on July 3, 2013 and has submitted copies of the Canada Post Customer Receipt Tracking numbers as confirmation. The Landlord stated that an online search shows that the Tenant, K.M. received the registered mail package on July 8, 2013 and that the Tenant, C.A. did not pick up the package after receiving notification from Canada Post and that her package was returned to the Landlord. I am satisfied based upon the undisputed evidence that both Tenants have been properly served with the notice of hearing packages and the submitted documentary evidence.

Issue(s) to be Decided

Is the Landlord entitled to a monetary order?

Background and Evidence

This tenancy began on September 1, 2012 on a fixed term tenancy for 1 year ending on August 31, 2013 as shown by the submitted copy of the signed tenancy agreement. The monthly rent was \$1,300.00 payable on the 1st of each month and a security deposit of \$650.00 was paid on September 1, 2012.

The Landlord states that he received notice on April 29, 2013 that the Tenant was vacating the rental unit on May 31, 2013. The Landlord states that the Tenant did not vacate the rental unit until June 6, 2013. The Landlord seeks \$1,300.00 for the loss of rental income for June 2013 as he was not able to re-rent the unit until July 1, 2013 which is a breach of the fixed term tenancy agreement. The Landlord also states that he has been actively searching for a new tenant since May 4, 2013. The Landlord has submitted copies of 7 different postings on craigslist from May 4, 2013 to June 8, 2013 for rental listings as confirmation. The Landlord has also included in his documentary evidence copies of email responses for potential rental applicants that responded to his ads on craigslist.

Analysis

I accept the undisputed evidence of the Landlord and find that a monetary claim for loss of rental income of \$1,300.00 for June 2013 has been established. The Landlord is also entitled to recovery of the \$50.00 filing fee. I grant that the Landlord 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: October 02, 2013

Residential Tenancy Branch

