



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Colliers International  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      MNDC, MNR

### Introduction

This was a hearing with respect to the landlord's application for a monetary order. The landlord's agent called in and participated in the hearing. The tenant did not attend although he was served with the application and Notice of Hearing sent by registered mail on September 7, 2013.

### Issue(s) to be Decided

Is the landlord entitled to a monetary award and if so, in what amount?

### Background and Evidence

The rental unit is an apartment in Vancouver. The tenancy began on September 1, 2012 for a one year fixed term and thereafter month to month. The rent was \$1,100.00, payable on the first of each month. The tenant paid a \$550.00 security deposit on August 17, 2012.

On August 21, 2013 the tenant gave verbal notice that he intended to move out at the end of August, 2013. The landlord advised the tenant by e-mail that this was insufficient notice and if the landlord was unable to re-rent the unit for September, the landlord would claim payment of September rent from the tenant. The landlord's agent testified that the landlord was not able to re-rent the unit for any part of September, 2013; it was re-rented commencing October 1<sup>st</sup>.

The tenant participated in a move-out condition inspection with the landlord and provided his forwarding address to the landlord at the time of the inspection.

The landlord has claimed rent for September in the amount of \$1,100.00 plus the \$50.00 filing fee for this application.

Analysis and conclusion

In the absence of any conflicting evidence, I am satisfied that the landlord attempted to mitigate its loss by seeking to re-rent the unit and that it is entitled to an award of \$1,100.0 for lost rent for September. The landlord is entitled to recover the \$50.00 filing fee for this application for a total award of \$1,150.00 and I grant the landlord an order under section 67 in the said amount. This order may be registered 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: December 12, 2013

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Residential Tenancy Branch

