



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Amacon Property Management Services Incorporated
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes MNSD, FF

Introduction

This hearing dealt with an application by the landlord for a monetary order and an order to retain the security deposit in partial satisfaction of the claim. Despite having been served with the application for dispute resolution and notice of hearing by registered mail on November 8, 2013, the tenants did not participate in the conference call hearing. The landlord gave affirmed evidence.

Issue to be Decided

Is the landlord entitled to a monetary order as claimed?

Background, Evidence and Analysis

The landlord's undisputed testimony is as follows. The tenancy began on May 1, 2012 and ended on November 4, 2013. The tenants were obligated to pay \$950.00 per month in rent in advance and at the outset of the tenancy the tenants paid a \$475.00 security deposit. The landlord stated that on October 4, 2013 the tenants gave written notice to that they would move out by the end of October. The landlord advised the tenants that the notice was not in accordance with the Act. The landlord stated that the tenants did not vacate the unit until November 4, 2013. The landlord stated that she was unable to rent the unit and is seeking loss of revenue for the month of November. Based on the landlords undisputed testimony I find that the tenants did not provide proper notice to end their tenancy and accept that the landlord was unable to rent the unit for November. Based on the above I find that the landlord is entitled to \$950.00.

Conclusion

As for the monetary order, I find that the landlord has established a claim for \$950.00. The landlord is also entitled to recovery of the \$50.00 filing fee. I order that the landlord

retain the \$475.00 deposit in partial satisfaction of the claim and I grant the landlord an order under section 67 for the balance due of \$525.00. This order may be filed in the Small Claims Division of the Provincial 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: February 24, 2014

Residential Tenancy Branch

