



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Metro Vancouver Housing Corporation
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes FF, MNR, MNSD

Introduction

This is an application for a Monetary Order in the amount of \$943.00 for outstanding rent, a request for recovery of the \$50.00 filing fee, and a request to retain the full security deposit of \$440.00 towards the claim.

The applicant(s) testified that the respondent(s) were served with notice of the hearing by registered mail that was mailed on November 20, 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

Has the applicant established a monetary claim for outstanding rent totaling \$943.00?

Background and Evidence

The applicant testified that:

- A security deposit of \$440.00 was collected on June 8, 2011 and the tenancy began on July 1, 2011 with the monthly rent of \$880.00.
- The monthly rent was increased over the years, using the proper notice of rent increase, and now the monthly rent is \$943.00.
- On September 23, 2013 the tenant submitted written notice that they would be ending their tenancy on October 31, 2013.
- The Tenants subsequently failed to pay the October 2013 rent and on October 10, 2013 it was discovered they had vacated.
- They attempted to re-rent the unit and even showed it to prospective tenants; however they were unable to re-rent it in the month of October 2013.
- They have therefore lost the full rental revenue of \$943.00 for the month of October 2013.
- They therefore request an order allowing them to keep the full security deposit of \$440.00 towards the claim and requested a monetary order be issued for the difference plus her filing fee.

Analysis

It is my finding that the applicants have shown that the respondents ended this tenancy without the required notice, and without paying their final month's rent.

I also accept the landlord's testimony that they attempted to re-rent the unit but were unable to do so in the month of October 2013.

The landlords have provided evidence that shows that the present monthly rent is \$943.00.

Therefore it is my finding that the tenants are liable for the \$943.00 lost rental revenue for the month of October 2013.

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

Conclusion

I have allowed the landlords full claim of \$993.00, and therefore pursuant to section 38 of the Residential Tenancy Act I order that the landlords may retain the full security deposit of \$440.00 and pursuant to section 67 of the Residential Tenancy Act I've issued a Monetary Order in the amount of \$553.00.

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: March 06, 2014

Residential Tenancy Branch

