



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Bayside Property Services Ltd.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes FF MNR MNSD

Introduction

This hearing dealt with an application by the landlord for a monetary order. The landlord has also requested recovery of the \$50 filing fee from the tenant. Although served with the Application for Dispute Resolution and Notice of Hearing sent by registered mail on November 22, 2014 and received by the tenant on November 26, 2014 the tenant did not attend the conference call hearing.

Issues

Is the landlord entitled to the requested orders?

Background and Evidence

This tenancy began on November 21, 2012. The tenant vacated the rental unit on October 31, 2013 without notice. The rent was \$800 per month. A security deposit of \$400 was paid at the start of the tenancy.

The landlord was unable to re-rent the unit for November and wants to recover loss of income for that month.

Analysis

Under the Act, tenants are required to give at least one month's written notice to end a tenancy. If a tenant does not give such notice, the tenant can be held liable for the rent for the following month. In the present case, the tenant gave no notice of his plans to vacate the rental unit and as a result, left the landlord no time in which to attempt to re-rent the unit. The landlord was not able to re-rent the unit for November.

I am satisfied that the landlord has established its claim for unpaid rent for November.

I am also satisfied that the landlord is entitled to recover its \$50 filing fee from the tenant because it has been successful in its application.

Conclusion

I find that the landlord has established a total monetary claim of \$850 comprised of \$800 in unpaid rent and the \$50.00 fee paid by the landlord for this application. I therefore order that the landlord retain the deposit of \$400 in partial satisfaction of the claim and I grant the landlord an order under section 67 for the balance due of \$450.

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 10, 2014

Residential Tenancy Branch

