



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Coast Realty Group (Campbell River) Ltd.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes MNR

Introduction

This hearing dealt with the landlord's application for monetary compensation for lost revenue. The landlord and the tenant participated in the teleconference hearing.

At the outset of the hearing, each party confirmed that they had received the other party's evidence. Neither party raised any issues regarding service of the application or the evidence. Both parties were given full opportunity to give testimony and present their evidence. I have reviewed all testimony and other evidence. However, in this decision I only describe the evidence relevant to the issues and findings in this matter.

Issue(s) to be Decided

Is the landlord entitled to monetary compensation as claimed?

Background and Evidence

The tenancy began on February 1, 2013 as a one-year fixed-term tenancy with monthly rent of \$1200 due in advance on the first day of each month. The tenancy agreement allowed pets.

On October 23, 2013 the tenant gave the landlord written notice that she intended to move out of the rental unit on November 30, 2013.

The landlord stated that they began advertising to re-rent the unit, but they were unable to re-rent the unit until January 2014. The landlord acknowledged that when they advertised the unit to re-rent, they increased the rent to \$1250 and did not allow pets.

Analysis

Because the landlord advertised the unit for a higher rent than the tenant's rent, and also changed the terms of the tenancy to not allow pets, I find that the landlord failed to take reasonable steps to mitigate their loss. The landlord is therefore not entitled to lost revenue for December 2013.

Conclusion

The landlord's application is dismissed.

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: May 2, 2014

Residential Tenancy Branch

