



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding H & M Rempel  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      OPR MNR MNSD FF

### Introduction

This hearing dealt with an application by the landlord for an order of possession, a monetary order and an order to retain the security deposit in partial satisfaction of the claim. At the outset of the hearing the landlord stated that the tenant had vacated the rental unit on March 31, 2014; I therefore dismissed the portion of the landlord's application regarding an order of possession.

The landlord participated in the teleconference hearing, but the tenant did not call into the hearing. The landlord submitted evidence that they personally served the tenant with the application for dispute resolution and notice of hearing on March 20, 2014, and the tenant signed for the package. I accepted the landlord's evidence regarding service of notice of the hearing, and I proceeded with the hearing in the absence of the tenant.

### Issue(s) to be Decided

Is the landlord entitled to monetary compensation as claimed?

### Background and Evidence

The tenancy began on September 15, 2013. Rent in the amount of \$700 was payable in advance on the first day of each month. At the outset of the tenancy, the landlord collected a security deposit from the tenant in the amount of \$350.

The landlord stated that the tenant did not pay rent for March 2014, and she vacated the rental unit on March 31, 2014 without giving proper notice to vacate. The landlord was unable to re-rent the unit until May 1, 2014. The landlord has claimed \$700 in unpaid rent for March 2014 and \$700 in lost revenue for April 2014.

In support of their claim, the landlord submitted evidence including the following:

- a copy of a residential tenancy agreement, signed by the tenant and the landlord on September 11, 2013, indicating a monthly rent of \$700 due on the first of each month and confirming that the tenant paid a security deposit of \$350;
- the landlord's testimony regarding the tenant's failure to pay rent for March 2014 and the lost revenue for April 2014; and
- a copy of the Landlord's Application for Dispute Resolution, filed March 20, 2014.

### Analysis

I find that the landlord has established their claim for \$1400 in unpaid rent and lost revenue. The evidence noted above shows that the tenant's monthly rent was \$700, and she failed to pay rent for March 2014 or give proper notice to vacate.

As the landlord's application was successful, they are also entitled to recovery of the \$50 filing fee for the cost of this application.

### Conclusion

The landlord is entitled to \$1450. I order that the landlord retain the security deposit of \$350 in partial satisfaction of the claim and I grant the landlord an order under section 67 for the balance due of \$1100. This order may be filed 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: May 12, 2014

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Residential Tenancy Branch

