



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Wall Financial Corporation
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPR, MNR, MNDC, FF

Introduction

This hearing dealt with the landlord's Application for Dispute Resolution seeking an order of possession and a monetary order.

The hearing was conducted via teleconference and was attended by the landlord's agent and both tenants.

The parties agree the tenants vacated the rental unit by March 31, 2014 and as such the landlord no longer requires an order of possession. I amend the landlord's Application to exclude the matter of possession.

During the hearing the tenants provided the landlord with their forwarding address.

Issue(s) to be Decided

The issues to be decided are whether the landlord is entitled to a monetary order for lost revenue and to recover the filing fee from the tenants for the cost of the Application for Dispute Resolution, pursuant to Sections 67, and 72 of the *Residential Tenancy Act* (Act).

Background and Evidence

The landlord submitted the following documentary evidence:

- A copy of a residential tenancy agreement which was signed by the parties on May 26, 2012 for a 6 month fixed term tenancy beginning on June 1, 2012 that converted to a month to month tenancy on December 1, 2012 for the monthly rent of \$850.00 due on the 1st of each month and a security deposit of \$425.00 and a pet damage deposit of \$200.00 were paid. The tenancy agreement also stipulates a \$20.00 fee will be owed for the late payment of rent; and
- A copy of a 10 Day Notice to End Tenancy for Unpaid Rent that was issued on May 2, 2014 with an effective vacancy date of March 15, 2014 due to \$650.00 in unpaid rent.

The landlord seeks compensation for lost revenue for the month of April 2014. The landlord submits that the unit was not in a rentable condition when it was returned to the landlord at the end of March, 2014. The landlord states that the unit was re-rented for May 1, 2014.

The tenants do not dispute the landlord's claim for the lost revenue for April 2014.

Analysis

Based on the testimony of both parties I find the landlord is entitled to recover the lost revenue for the month of April 2014.

Conclusion

I find the landlord is entitled to monetary compensation pursuant to Section 67 and grant a monetary order in the amount of **\$900.00** comprised of \$850.00 rent owed and the \$50.00 fee paid by the landlord for this application.

This order must be served on the tenants. If the tenants fail to comply with this order the landlord may file the order in the Provincial Court (Small Claims) and be 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 09, 2014

Residential Tenancy Branch

