



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPC, OPB, MNR, MNSD, MNDC, FF

Introduction

The landlord applies for an order of possession pursuant to a ten day Notice to End Tenancy for unpaid rent and for monetary compensation for unpaid March 2016 rent and loss of April's rental income.

The tenant did not attend the hearing within ten minutes after its scheduled start time. The landlord testified that she personally served the tenant with the application and notice of hearing on March 10, 2016.

Based on this testimony I find that the tenant was duly served with the application for dispute resolution and notice of hearing.

The landlord reports that the tenant vacated the premises on March 14, 2016. She no longer requires an order of possession.

She says that the tenant owes \$400.00 of the \$800.00 monthly rent that was due March 1, 2016. She says that she has been unable to re-rent the premises for April and so has lost rental income for that month.

On this evidence I find that the landlord is owed \$400.00 for March rent and has lost \$800.00 for rent from April because of the tenant's overholding.

I award her \$1200.00, plus recover of the \$100.00 filing fee. I authorize her to retain the \$425.00 security deposit she holds in reduction of the amount awarded. I grant her a monetary order against the tenant for the remainder of \$875.00.

At hearing the landlord raised claims for the cost of pest control, for painting and for cleaning. Those claims were not particularized in her application and so the tenant has

not received formal notice of them. For that reason I decline to deal with them at this hearing. The landlord is free to re-apply for those claims.

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: April 21, 2016

Residential Tenancy Branch