



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Natural Folks Enterprises Ltd.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes MNDC FF

Introduction

This hearing dealt with an application by the landlord for monetary compensation for lost revenue, as well as recovery of the filing fee.

The landlord participated in the teleconference hearing, but the tenant did not call into the hearing. The landlord stated that she personally served the tenant with the application for dispute resolution and notice of hearing on July 12, 2016. SI accepted the landlord's testimony 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?
Is the landlord entitled to recovery of the filing fee?

Background and Evidence

The landlord stated that the tenant moved out of the rental unit within the first few days of June 2016 and left the unit in quite a mess, including having nailed carpeting to the floor. The landlord stated that the tenancy was not to end until August 31, 2016. The landlord stated that she advertised the unit but was unable to re-rent it until September 1, 2016. The landlord has claimed lost revenue of \$3,750.00.

Analysis

I accept the landlord's undisputed evidence and find that she is entitled to lost revenue of \$3,750.00, as claimed. The landlord attempted to mitigate her loss by advertising the unit to re-rent, but she was unable to find a new tenant until September 1, 2016.

As the landlord's application was successful, she is also entitled to recovery of the \$100.00 filing fee for the cost of this application.

Conclusion

The landlord's claim is successful.

I grant the landlord an order under section 67 for the balance due of \$3,850.00. 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: January 27, 2017

Residential Tenancy Branch