



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNR, MNDC, FF

Introduction

The landlord applies for a monetary award for unpaid rent, loss of rental income and for utility costs.

The respondent tenant did not attend the hearing within twenty minutes after its scheduled start time at 11:00 a.m. on July 11, 2019. The teleconference hearing connection remained open during that time in order to enable the parties to call into the teleconference hearing. The call-in numbers and participant codes provided in the Notice of Hearing were confirmed as correct. The teleconference system audio console confirmed that the landlord and this arbitrator were the only ones who had called into this teleconference during that period.

The tenant was not served with the Notice of Dispute Resolution Proceeding for this hearing by the applicant landlord, as is the normal procedure. Rather, the Residential Tenancy Branch was directed to served the respondent tenant with the Notice pursuant to the Interim Decision of Arbitrator C.R. dated May 28, 2019. There is no evidence filed by the Branch to show whether this has been done. In the circumstances I proceed on the assumption that it has been done and that the tenant has been served.

On the undisputed testimony of the landlord I find that the tenant owes rent of \$1200.00 for each of the months October and November 2018.

I find that following the landlord's recovery of possession in late November 2018, he was required to extensively clean up and that when he was able to re-let the rental unit in mid-December he was required to credit the new tenants with the remainder of the

month for free. He thus suffered a loss of December rental income and I award him \$1200.00 as claimed in that regard.

I find that the landlord is owed \$589.27 for Hydro and gas as per the bills he has submitted.

In total the landlord is entitled to an award of \$4189.27 plus recovery of the \$100.00 filing fee. I authorize him to retain the \$100.00 security deposit he holds, in reduction of the award. The landlord will have a monetary order against the tenant for the remainder of \$4189.27.

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: July 11, 2019

Residential Tenancy Branch