



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: *MND, MNR, MNDC, FF*

Introduction

This hearing dealt with an application by the landlord pursuant to the *Residential Tenancy Act* for a monetary order for unpaid rent, loss of income and for the cost of cleaning, repairs and the filing fee.

The landlord sent a copy of his application and the notice of hearing to the tenant by registered mail on July 07, 2020, to the address of the rental unit as the tenant was living there at that time. The landlord provided a tracking number. Despite having been served the notice of hearing, the tenant did not attend the hearing. The landlord attended the hearing and was given full opportunity to present evidence and make submissions.

Issues to be decided

Is the landlord entitled to a monetary order?

Background and Evidence

The landlord stated that the tenancy started on January 24, 2020. The monthly rent was \$1,550.00 payable on the first of each month. The tenant made a partial rent payment of \$1,200.00, at the time she moved in. The landlord testified that the tenant failed to pay rent other than two installments of \$300.00 and \$200.00 on March 05 and on April 04, 2020. The landlord filed copies of text messages between the parties showing that the tenant kept stalling on her payments and made promises to pay when she received payments of EI, GST, her tax return or Child Tax benefit. The landlord stated that despite all the promises to pay, the tenant made payments of a total of \$1,700.00 towards rent for the entire time she occupied the rental unit.

The landlord submitted that on July 24, 2020, he found that the tenant had moved out and had left the unit in a condition that required repairs and removal of a considerable amount of garbage. The landlord filed photographs to support his testimony.

Since the tenant moved out on July 24, 2020, leaving the unit in a condition that required considerable cleaning, I find that it is unlikely that the landlord will find a tenant for August 2020. The landlord has filed a claim for loss of income.

The landlord is claiming the following:

1.	Cleaning and garbage removal	\$650.00
2.	Unpaid rent	\$7,600.00
3.	Loss of income	\$1,550.00
4.	Filing fee	\$100.00
	Total	\$9,900.00

Analysis

Based on the undisputed testimony of the landlord and the photographs filed into evidence, I find that the landlord has proven his monetary claim for the cost of cleaning and garbage removal. The landlord has also proven that the tenant owes unpaid rent. Since the tenant moved out on July 24, 2020, without informing the landlord I find that the landlord is also entitled to the loss of income for August 2020. The landlord proven his case, and therefore I grant him the recovery of the filing fee of \$100.00.

Overall the landlord has established a claim of \$9,900.00. I grant the landlord an order under section 67 of the *Residential Tenancy Act* for this amount. This order may be filed in the Small Claims Court and enforced as an order of that Court.

Conclusion

I grant the landlord a monetary order for the amount of **\$9,900.00**.

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 30, 2020

Residential Tenancy Branch