



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MNDC, MNSD, FF

### Introduction

This was an application by the landlord for a monetary order and an order to retain the security deposit in partial satisfaction of the monetary claim. The hearing was conducted by conference call. The landlord's agent participated. The tenant did not attend although the application for dispute resolution and Notice of Hearing were sent by courier to the forwarding address that she provided to the landlord.

### Issue(s) to be Decided

Is the landlord entitled to a monetary order for unpaid rent and if so, in what amount?

### Background and Evidence

The tenancy began on November 1, 1996, before the landlord became manager of the rental property. The tenant paid a security deposit of \$267.50 at the commencement of the tenancy. On August 1, 1998 the tenant moved to a different rental unit and her deposit was increased to \$280.00. The tenant gave notice on June 25, 2011 and moved out of the rental unit on June 30, 2011. The landlord re-rented the unit effective August 15, 2011.

### Analysis and Conclusion

The tenant did not give the one month written notice required by the *Residential Tenancy Act*. I find that the landlord acted properly in attempting to mitigate its damages but it was not able to re-rent the unit for any part of July. I find that the landlord is entitled to recover loss of revenue for July in the amount of \$603.72, being the current rent payable. The landlord is entitled to recover the \$50.00 filing fee for a total award of \$653.72. I order that the landlord retain the security deposit and interest of \$318.31 and I grant the landlord an order under section 67 for the balance of \$335.41. This order may be Registered 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: October 11, 2011.

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Residential Tenancy Branch