



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes FF, MNDC, MNR, MNSD, O

Introduction

This is an application brought by the Landlord requesting a Monetary Order for outstanding rent and lost rental revenue, and requesting recovery of the \$100.00 filing fee.

The applicant testified that the respondent(s) were served with notice of the hearing by personal service, directly into their hands, on August 1, 2015; however the respondent(s) did not join the conference call that was set up for the hearing.

It is my finding that the respondent(s) have been properly served with notice of the hearing and I therefore conducted the hearing in the respondent's absence.

The applicant's testimony was taken under affirmation.

Issue(s) to be Decided

The issue is whether or not the applicant has established monetary claim against the respondents, and if so in what amount.

Background and Evidence

The applicant testified that this tenancy began on July 1, 2013 and at that time the tenants paid a security deposit of \$950.00.

The applicant further testified that, by 2015, the monthly rent had increased to \$1950.00.

The applicant further stated therefore, that the total rent that should have been paid for the months of February 2015 through August 2015 was \$13,650.00.

The applicant further testified that the total rent actually paid for the months of February 2015 through August 2015 was as follows:

February 13, 2015	\$1950.00
May 11, 2015	\$3000.00
June 1, 2015	\$1950.00
Total	\$6900.00

The applicant is therefore requesting a Monetary Order to cover the rent outstanding which totals \$6750.00.

The applicant is also requesting an Order for lost rental revenue for the month of September 2015 because the tenants did not move out of the rental unit until mid-August 2015, and did so without notifying the landlord that they had vacated, and as a result he lost the rental revenue for the month of September 2015 in the amount of \$1950.00

The landlord/applicant is also requesting an Order for the respondents to pay his filing fee of \$100.00.

Analysis

It is my finding that the landlord has shown that the 2015 monthly rent for this rental unit was \$1950.00.

I also accept the landlord's testimony that the tenants only paid a total of \$6900.00 rent for the months of February 2015 through August 2015, and I therefore allow the landlords request for rent outstanding totaling \$6750.00.

I also allow the landlords request for lost rental revenue for the month of September 2015 as the tenants did not vacate the rental unit until mid-August 2015 and did not even notify the landlord that they had vacated. The tenants therefore should reasonably have anticipated that the landlord would likely lose the rental revenue for the month of September 2015.

Having allow the landlords monetary claim, I also Order that the respondents bear the \$100.00 cost of the filing fee.

Conclusion

I have allowed the landlords full monetary claim of \$8700.00, plus the \$100.00 filing fee for a total of \$8800.00. I therefore Order that the landlord may retain the full security deposit of \$950.00 and pursuant to section 67 of the Residential Tenancy Act, I have issued a Monetary Order in the amount of \$7850.00.

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: January 25, 2016

Residential Tenancy Branch

