



# Dispute Resolution Services

Residential Tenancy Branch  
Office of Housing and Construction Standards  
Ministry of Housing and Social Development

## **Decision**

**Dispute Codes:** MNR, MNSD, FF

### **Introduction**

This hearing dealt with an application from the landlord for a monetary order for loss of rental income, retention of the security deposit in partial satisfaction of the claim, and recovery of the filing fee. Both parties participated in the hearing and gave affirmed testimony.

### **Issue to be Decided**

- Whether the landlord is entitled to a monetary order under the *Act*

### **Background and Evidence**

Pursuant to a written tenancy agreement, the term of tenancy is documented as from April 2008 to March 2009. Rent in the amount of \$1,200.00 was payable in advance on the first day of each month, and a security deposit of \$600.00 was collected on February 15, 2008.

On or about December 20, 2008, the tenants gave verbal notice of their intent to vacate the unit at the end of December 2008. At the landlord's request the tenants provided this notice in writing on or about December 21, 2008. The landlord seeks loss of rental income for the month of January 2009 as a result of the tenants' failure to provide one month's full notice. For their part, the tenants claim their decision to vacate the unit was prompted by the presence of bed bugs in the unit. The parties took an opportunity during the hearing to exchange views in an effort to resolve the dispute.

## **Analysis**

Pursuant to section 63 of the *Act*, through their discussion the parties achieved a settlement of the dispute. Specifically, the parties agreed and I hereby order as follows:

- that the landlord will retain \$60.00 from the security deposit for carpet cleaning in the unit;
- that the landlord will also retain the balance of the security deposit in the amount of \$540.00 plus any interest accrued since its collection;
- that the landlord will retain the remote control deposit in the amount of \$50.00;
- that the tenants will make cheque payment to the landlord in the full amount of \$305.00, to be put into the mail by no later than midnight, Friday, March 20, 2009.

The parties agree that the above particulars reflect full and final settlement of all aspects of the dispute for both parties.

## **Conclusion**

Pursuant to the above agreement, I hereby grant the landlord a monetary order under section 67 of the *Act* for **\$305.00**. Should the tenants fail to comply with the above agreement, this order may be served on the tenants, filed in the Small Claims Court and enforced as an order of that Court.

DATE: March 10, 2009

---

Dispute Resolution Officer