



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes MNR, MNDC, MNSD, FF

Introduction

A substantial amount of documentary evidence and written arguments has been submitted prior to the hearing. I have thoroughly reviewed all submissions.

I also gave the applicant the opportunity to testify at the hearing.

The respondent was served with notice of the hearing by registered mail that was mailed on March 16, 2009 but did not join the conference call that was set up for the hearing.

All testimony was taken under affirmation.

Issues(s) to be Decided

This is a request for a monetary order for \$870.00 and a request to retain the full security deposit plus interest towards the order.

Background and Evidence

The applicant testified that:

- The tenant failed to give the proper Notice to End Tenancy, giving notice on February 12, 2009 to vacate on February 28, 2009.
- As a result of the short notice the landlord was unable to re-rent the unit for the month of March 2009, and therefore lost the full rental revenue of \$802.00.
- He tenant also left the rental unit with very dirty and stained carpets and therefore the landlord had to have the carpets steam cleaned at a cost of \$68.00.

The landlord is therefore asking for \$870.00 to cover the loss of rental revenue and the cost of cleaning the carpets.



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Analysis

The Residential Tenancy Act requires that a tenant gives one clear month notice to end the tenancy, and if they fail to do so they are liable for any loss of rental revenue that results. In this case the tenant failed to give the required notice and as a result of the landlord did lose the full rental revenue for the month of March 2009; therefore I allow the full claim for the lost rental revenue.

Tenants are also required to maintain a normal state of cleanliness during a tenancy and in this case the tenant failed to do so leaving the carpets in the rental unit stained and dirty I therefore also allow the claim for carpet cleaning.

Conclusion

I allow the full claim of \$870.00. I further order that the respondent bear the \$50.00 cost of the filing fee paid for this hearing, bringing the total to \$920.00. I therefore order that the landlord(s) may retain the full security deposit plus interest:

\$386.33

I further Order that the Respondent(s) pay to the applicants the following amount:

\$533.67

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: June 12, 2009.

Dispute Resolution Officer