



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes MND, MNR, MNSD

Introduction

Some documentary evidence and written arguments have 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 April 27th 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 \$2069.45 and a request to retain the full security deposit plus interest towards this claim.

Background and Evidence

The landlord testified that:

- The tenants moved out of the rental unit mid-March 2009 without proper notice.
- The tenants owed \$50.00 from February 2009 rent, and \$600.00 from March 2009 rent.
- They were unable to re-rent the unit until May 1, 2009 and therefore lost the full April 2009 rent of \$1050.00 as well.

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- The tenants also left \$620.00 in outstanding utility bills at the end of the tenancy; however the landlord only applied for \$369.45 as he had miscalculated at the time of the application.

The applicant is therefore requesting an order for \$2069.45 plus the filing fee of \$50.00 for a total of \$2119.45.

Applicant wants to retain the full security deposit plus interest towards this claim and is requesting that a monetary order be issued for the difference.

Analysis

It is my decision that I will allow the full \$1700.00 of rent claimed by the landlord. The tenants did not give the required Notice to End Tenancy and therefore they are liable for rent to the end of April 2009.

The tenants were also required to pay 40% of the utilities and failed to do so. I cannot allow the extra amount that the landlord failed to claim but I will allow the full \$369.45. The landlord is at leave to apply for the remainder of the outstanding utilities on a separate application.

I further ordered that the respondent bear the \$ 50.00 cost of the filing fee paid for this hearing.

Conclusion

I have allowed the full claim of \$2119.45. I therefore order that the landlord(s) may retain the full security deposit plus interest:



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\$ 526.66

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

\$1592.79

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 18, 2009.

Dispute Resolution Officer