

DECISION

Dispute Codes: MNR, MNSD, MND, FF

This hearing dealt with an application by the landlord for a monetary order for loss of income. At the outset of the hearing, both parties agreed to amend the application to include the landlord's claim for cleaning cost.

On December 19, 2008, the landlord collected a security deposit from the tenants in the amount of \$725.00. The tenancy began on December 31, 2008 for a fixed term ending July 31, 2009. Rent in the amount of \$1450.00 was payable in advance on the first day of each month. On May 9, 2009, the tenants gave the landlord verbal notice to end tenancy on May 31, 2009. On June 1, 2009, the tenants moved out of the unit.

The landlord is claiming for loss of income and cleaning cost as follows.

Loss of Income

The landlord is claiming for loss of income for the month of June in the amount of \$1450.00. Both parties agreed on the following facts. When the landlord received the tenants' verbal notice to end tenancy on May 9, he immediately posted an ad to re-rent the unit on Craigslist on the same day. Later in May, the tenants posted another ad to re-rent the unit on Craigslist. There were several resulting enquires and showings but the landlord was only able to re-rent the unit for July 1, 2009. Based on the above, I find that the tenants have failed to comply with Section 45 of the *Residential Tenancy Act* in giving the required notice to end tenancy. I am also satisfied that the landlord had exercised reasonable efforts to mitigate the resulting loss of income by trying to re-rent the unit immediately after his receipt of the tenants' notice to end tenancy.

Accordingly, I find that the landlord is entitled to recovery of the loss of income for the month of June and I allow a claim of \$1450.00.

Cleaning Cost

Both parties agreed for the tenants to pay the landlord \$70.00 as cleaning cost.

Conclusion

Based on all of the above, I find that the landlord has established a claim for \$1450.00 in loss of income and \$70.00 as cleaning cost. The landlord is also entitled to recovery of the \$50.00 filing fee. I order that the landlord retain the security deposit and interest of \$725.39 in partial satisfaction of the claim and I grant the landlord an order under section 67 for the balance due of \$844.61. This order may be filed in the Small Claims Court and enforced as an order of that Court.

Dated September 30, 2009.