

DECISION

Dispute Codes: MNR, MNDC, MND, MNSD and FF

Introduction

This application was brought by landlord seeking a Monetary Order for unpaid and utilities, carpet cleaning and recovery of the filing fee for this proceeding. The landlord also sought authorization to retain the security deposit in set off against the balance owed.

Despite having been served with the Notice of Hearing by registered mail sent on July 25, 2009, the tenant did not call in to the number provided to enable her participation in the telephone conference call hearing. Therefore, it proceeded in her absence.

Issue(s) to be Decided

This application requires a decision on whether the landlord is entitled to a Monetary Order for the unpaid rent, utilities, carpet cleaning and filing fee and authorization to retain the security deposit in set off.

Background and Evidence

This tenancy began on March 1, 2007 under a fixed term rental agreement to February 29, 2008, and ended on June 2, 2009. Rent was \$1,451 per month and the landlord holds a security deposit of \$700 paid on February 7, 2007.

During the hearing, the landlord gave evidence that the tenant had vacated the rental unit on June 2, 2009 without having given notice as required under section 45 of the *Act*. Accordingly, the landlord seeks an order for the rent for June 2009.

The landlord also submitted a receipt for carpet cleaning for \$166.69 and a copy of the invoice for water usage from February to June, 2009 for \$96.96.

Analysis

Section 45 of the *Act* which deals with a tenant's notice to end tenancy, provides that the tenant must give at least one full month's notice following the next rent due date after the notice is given. I find that the tenant did not give proper notice and she is responsible for the rent for June 2009.

Standard practice requires that the tenant is responsible for cleaning carpets at the end of a tenancy in excess of one year, or a lesser time if usage is beyond the norm. I find that the tenant is responsible for the cost of carpet cleaning.

As to the water bill, the rental agreement indicates that the water is not included with the rent and the tenant is responsible for this charge.

Therefore, I find that the landlord is entitled to a Monetary Order for all claims as submitted, recovery of the filing fee for this proceeding and authorization to retain the security deposit in set off, calculated as follows:

June 2009 rent	\$1,451.00
Carpet cleaning	166.69
Water billing	96.96
Filing fee	50.00
Sub total	\$1,764.65
Less retained security deposit	- 700.00
Less interest (February 7, 2007 to date)	20.08
TOTAL	\$1,044.57

Conclusion

Thus, in addition to the authorization to retain the security deposit and interest in set off, the landlord's copy of this decision is accompanied by a Monetary Order, enforceable through the Provincial Court of British Columbia, for \$1,044.57 for service on the tenant.