



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes MNR, MNSD, FF

Introduction

Having heard all the testimony of the applicant(s), [under affirmation](#), and in the absence of any submissions from the respondent(s), although having been notified of the right to make such submissions I have determined:

Issues(s) to be Decided

This is a request for a monetary order for \$670.00, a request for the respondent bear the \$50.00 cost of the filing fee paid for the hearing, and a request that the applicant be allowed to retain the full security deposit plus interest towards the claim.

Background and Evidence

The applicant testified that:

- The tenant notified the landlord on September 28, 2009 that she was vacating the rental unit on September 30, 2009.
- They were unable to re-rent the unit in the month of October I lost the full rental revenue for October 2009.
- The tenant also failed to have the carpets professionally cleaned which is a requirement of the tenancy agreement.

The applicants are therefore requesting an order as follows:

October 2009 the lost revenue	\$550.00
Filing fee	\$50.00
Total	\$720.00

The applicant is therefore requesting that they be allowed to keep the full security deposit of \$275.00 towards the claim and then a monetary order be issued for the balance.



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Analysis

The Residential Tenancy Act requires the tenant give one clear month Notice to End Tenancy and if a tenant fails to do so there are liable for any loss the results for the landlord therefore in this case I allow the landlords claim for October 2009 lost revenue of \$550.00.

But dismissed the claim for carpet cleaning, because the applicant has supplied insufficient evidence to support the claim that the carpets were left in need of cleaning, that the carpets were cleaned, or that there is any clause in the tenancy agreement requiring carpet cleaning.

I will allow the claim for the filing fee, as the landlord have still established a significant claim against the tenant.

Conclusion

I have allowed \$600.00 of the claim. I therefore order that the landlord(s) may retain the full security deposit:

\$275.00

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

\$325.00

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: February 09, 2010.

Dispute Resolution Officer