

## **DECISION**

Dispute Codes      MNR, MNSD

### Introduction

Some 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 February the 15th 2010, 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 \$2115.00 a request to retain the full security deposit towards this claim.

### Background and Evidence

The applicant testified that:

- The tenant had signed a one-year lease with an expiry date of August 31, 2010, and a monthly rent of \$1495.00.
- The tenant abandoned the rental unit on January 31, 2010 and as a result the landlord has suffered a loss of rental income for the months of February 2010 March 2010 and April 2010.
- The tenant had also painted one of the rooms to dark green without permission; however the new tenant does not mind the color and therefore they are withdrawing this portion of the claim.

- The tenant also lost a key however the new tenants are not concerned about this and therefore they are also withdrawing the claim for rekeying locks.
- The tenants also left the rental unit in need of substantial cleanup and as a result they had to pay to have that work done. They were able however to find someone to do it for far less than their original estimate.

The applicants are therefore now requesting a claim as follows:

Lost rental revenue for February 2010	\$1495.00
Total	\$1555.00

The applicants therefore requested they be allowed to retain the full \$1200.00 security deposit and did a monetary order be issued for the difference.

### Analysis

The tenants had signed a one-year lease and vacated prior to the end of that lease without giving any notice and therefore the tenants are liable for any lost rental revenue. I therefore allow the claim for lost rental revenue for February 2010.

I also accept the landlords testimony that the rental unit was left in need of substantial cleaning and therefore I also allow the claim for cleaning costs.

The landlords also asked if I would add March 2010 and April 2010 rent onto the claim, however I am unable to do that because the respondents have not been notified of any change to the claim. The landlords will therefore have to file a claim for the March 2010 and April 2010 rent on a separate application.

### Conclusion

I have allowed the landlords full reduced claim of \$1555.00. I therefore order that the landlord(s) may retain the full security deposit :

\$1200.00

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

**\$355.00**

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: May 21, 2010.

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Dispute Resolution Officer