

## **DECISION**

Dispute Codes      MNR, FF

### Introduction

A substantial amount of documentary evidence and written arguments has 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 hand on March 24, 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 \$10,150.00

### Background and Evidence

The applicant testified that:

- The tenant signed a lease that ran until June 30, 2010.
- Rent for the dispute property was set at \$1400.00 per month.
- The tenant stopped paying the rent in December of 2009 and no rent was paid after that date.
- The tenant was evicted and the landlord got possession in early April of 2010.
- He attempted to re-rent the unit however he has not been able to do so.
- The tenant also failed to return the keys and therefore the locks had to be changed.
- The tenant also left the rental unit and the carpets in the rental unit in need of substantial cleaning.

The applicant is therefore requesting an order as follows:

7 months rent at \$1400.00 per month	\$9,800.00
Carpet cleaning	\$112.31
General cleaning	\$301.88
Filing fee	\$100.00
Total	\$10,396.48

### Analysis

The tenant breached the fixed term lease by failing to pay the rent, and as a result the landlord has lost \$9,800.00 in rental income and it is my decision that the tenant is liable for that lost income.

The tenant also failed to return the keys to the rental unit and therefore the landlord was justified in changing the locks.

The tenant was also required to leave the rental unit in a reasonable state of cleanliness and failed to do so and as a result the landlord has had substantial cleaning costs.

Therefore it is my finding that the landlord's full claim is justified, however the landlord is limited to the amount claimed on the application which is \$10,150.00 plus the \$100.00 cost of the filing fee.

### Conclusion

I have allowed the full amount claimed by the landlord and have issued an order for the respondent to pay \$10,250.00 to the applicant.

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: July 16, 2010.

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Dispute Resolution Officer