



# Dispute Resolution Services

Residential Tenancy Branch  
Ministry of Housing and Social Development

## **DECISION**

Dispute Codes      MND, MNR, MNSD, MNDC, FF

### Introduction

This hearing dealt with an application by the landlord for a monetary order and an order to retain the security deposit in partial satisfaction of the claim. The landlord presented evidence showing that he served the tenants with the application for dispute resolution and notice of hearing by registered mail to the forwarding address they provided. I was satisfied that the tenants were properly served with the hearing documents and the hearing proceeded in their absence.

### Issue to be Decided

Is the landlord entitled to a monetary order as claimed?

### Background and Evidence

The landlord's undisputed testimony is as follows. The tenancy began on January 1, 2009 and was set to run for a fixed term ending on June 30, 2010. The tenancy agreement provided that if the tenants ended the tenancy prior to the end of the fixed term, they would be liable for liquidated damages of \$300.00 to cover administrative costs. The tenants were given a "move-in bonus" of \$250.00 which they were contractually obligated to return if they did not stay for the entire fixed term. The tenants vacated the rental unit 2 months prior to the end of the tenancy and left the unit without cleaning. The landlord incurred costs of \$20.00 to clean drapes and \$36.00 to clean the unit.

Analysis

I accept the landlord's undisputed testimony and find that the tenants ended the fixed term tenancy early. I find that pursuant to the terms of the tenancy agreement, the tenants are obligated to pay \$300.00 in liquidated damages and repay the \$250.00 move-in bonus. I award the landlord \$300.00 for liquidated damages and \$250.00 for the move-in bonus. I find that the tenants failed to adequately clean the drapes or the rental unit and I award the landlord \$20.00 for drape cleaning and \$36.00 for cleaning. I find that the landlord is entitled to recover the \$50.00 filing fee paid to bring his application and I award the landlord \$50.00.

Conclusion

The landlord is awarded a total of \$656.00. I order the landlord to retain the \$347.50 security deposit in partial satisfaction of the claim and I grant the landlord a monetary order under section 67 for the balance due of \$308.50. This order may be filed in the Small Claims Division of the Provincial Court and enforced as an order of that Court.

Dated: September 23, 2010

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Dispute Resolution Officer