

DECISION

Dispute Codes: MNDC, MND and FF

Introduction

This application was brought by the landlord on June 14, 2010 seeking a Monetary Order for damage or loss under the legislation or rental agreement, damage to the rental unit and recovery of the filing fee for this proceeding.

Despite having been served with the Notice of Hearing sent by registered mail, the tenants did not call in to the number provided to enable their participation in the telephone conference call hearing. Therefore, it proceeded in their absence.

Issues to be Decided

This application requires a decision on whether the landlord is entitled to a Monetary Order for the damage, damage or loss and recovery of the filing fee.

Background, Evidence and Analysis

This tenancy began on April 1, 2010 under a 12-month fixed-term agreement and ended on May 31, 2010. Rent was \$875 plus \$15 parking per month. The tenants' security deposit cheque was returned NSF and not replaced during the tenancy.

During the hearing, the landlord gave evidence that the tenants had given notice to break the fixed term agreement on April 30, 2010. They vacated on May 26, 2010 without participating in the move-out condition inspection.

The landlord claims and I find as follows:

Liquidated damages - \$325. The rental agreement signed by the tenants on March 21, 2010 includes a liquidated damages clause designed to compensate the landlord's administrative costs of finding new tenants if the tenants breached the fixed-term agreement by leaving early. This claim is allowed in full.

General Cleaning - \$110.99. The landlord stated that the tenants had left the rental unit need of cleaning and submits receipts for five hours labour and \$10.99 in cleaning supplies. This claim is allowed in full.

Hauling - \$63. This claim is made for removing materials left behind by the tenants with the consent of a parent of one of the tenants. The tenants had moved to Prince Edward Island. This claim is allowed in full.

Carpet Cleaning - \$84. The landlord stated that the need for carpet cleaning at the end of the short tenancy was necessitated by the fact that the tenants had kept an unauthorized cat in the rental unit. The claim is allowed.

Filing fee - \$50. Having found merit in the application, I find that the landlord is entitled to recover the filing fee for this proceeding from the tenants.

Thus, I find that the tenants owed to the landlord an amount calculated as follows:

Liquidated damages	\$325.00
General cleaning	110.99
Hauling	63.00
Carpet cleaning	84.00
Filing fee	50.00
TOTAL	\$632.99

Conclusion

The landlords' copy of this decision is accompanied by a Monetary Order, enforceable through the Provincial Court of British Columbia for \$632.99 for service on the tenants.

October 20, 2010