



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Public Safety and Solicitor General

## **DECISION**

**Dispute Codes:** *MNR, MND, MNSD, MNDC, FF*

### **Introduction**

This hearing dealt with an application by the Landlord pursuant to the *Residential Tenancy Act* for a monetary order for loss of income for December 2010, cleaning costs and the filing fee.

The landlord testified that she served the tenant with the notice of hearing by registered mail on December 13, 2010 to the address provided by the tenant. The landlord filed a tracking slip. Despite having been served the notice of hearing, the tenant did not attend the hearing. The landlord attended the hearing and was given full opportunity to present evidence and make submissions.

### **Issues to be decided**

Is the landlord entitled to a monetary order for loss of income, cleaning costs and for the filing fee?

### **Background and Evidence**

The landlord testified that the tenancy started on June 15, 2010. The monthly rent was \$655.00 payable on the first day of each month. On November 02, the tenant gave the landlord notice to end the tenancy effective November 30, 2010. The landlord started advertising the availability of the unit on November 05, 2010 and filed evidence to support her efforts to mitigate her losses.

During the hearing the landlord informed me that the tenant had sent in a cheque in the amount of \$455.00 which covered the full balance of the landlord's claim after she retained the security deposit.

The landlord requested that she be allowed to retain the security deposit and be granted a monetary order for the recovery of the filing fee in the amount of \$50.00.

**Analysis**

I grant the landlord's application to retain the security deposit towards her claim against the tenant. The tenant has already sent the landlord a cheque to cover the balance of the landlord's claim. Since the landlord has proven her case, she is also entitled to the recovery of the filing fee.

I grant the landlord an order under section 67 of the *Residential Tenancy Act* for the amount of \$50.00. This order may be filed in the Small Claims Court and enforced as an order of that Court.

**Conclusion**

I grant the landlord a monetary order in the amount of **\$50.00**

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 28, 2011.

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Residential Tenancy Branch