



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Public Safety and Solicitor General

DECISION

Dispute Codes FF, MND, MNR, MNSD

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 registered mail that was mailed on November 4, 2010, but did not join the conference call that was set up for the hearing.

All testimony was taken under affirmation.

Issue(s) to be Decided

This is a request for a monetary order for \$1348.36, and a request for recovery of the \$50.00 filing fee. The applicant is also requesting an order allowing him to keep the full security deposit and pet deposit towards this claim.

Background and Evidence

The applicant testified that:

- The tenants signed a fixed term tenancy agreement with the end of tenancy date of April 30, 2011.

- On September 18, 2010 the tenants gave notice that they would be vacating the rental unit before the end of the fixed term.
- The tenants paid the rent to the end of October 2010 however he was unable to re-rent the unit until December 1, 2010 and therefore lost the full rental revenue for November 2010.
- The tenants also left the rental unit in need of some cleaning, carpet cleaning, and painting.
- He originally requested the cost of changing the locks however the keys were returned and so therefore he is withdrawing this portion of the claim.

The applicant is therefore requesting an order as follows:

Lost rental revenue for November 2010	\$1050.00
Filing fee	\$50.00
Total	\$1284.40

Analysis

It is my decision that the tenants are liable for the lost rental revenue for November 2010. The tenants signed a fixed term tenancy agreement, and then ended the tenancy before the end of the term. The landlord was unable to re-rent the unit in the month of November 2010 and therefore, as a result of the tenants ending the tenancy early, he lost the full rental revenue for that month.

I also allow the landlords claim for cleaning and painting and carpet cleaning. The tenants left the rental unit in need of some cleaning, carpet cleaning, and painting, and the amounts charged by the landlord I find to be quite reasonable.

Since I have allowed the full amount claimed by the landlord I also order recovery of the \$50.00 filing fee.

Conclusion

I have allowed the landlords full reduced claim of \$1284.40. The landlord may therefore retain the full security/pet deposit of \$850.00, and I have issued a monetary order in the amount of \$434.40.

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: March 03, 2011.

Residential Tenancy Branch