

DECISION

Dispute Codes MND, MNR, MNSD, MNDC, FF

Introduction

A substantial amount of documentary evidence, photo 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 February 15, 2011, 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 \$2090.00, and a request for recovery of the \$50.00 filing fee.

Background and Evidence

The applicant testified that:

- The tenant failed to pay \$500.00 of October 2010 rent, and vacated the rental unit on November 3, 2010 after being served with an Order of Possession.
- The rental unit was left in a very dirty condition and as a result extensive cleaning was required, and they were unable to re-rent the unit in the month of November 2010.

- The tenants had paid a total security deposit of \$500.00 however she has returned the full deposit in 2 payments, \$250.00 to the respondent's first co-tenant, and \$250.00 to the respondent's second co-tenant.
- The respondent also collected a security deposit from his second co-tenant, but never forwarded it to the landlord.

The applicant is therefore requesting an order as follows:

October 2010 rent outstanding	\$500.00
Security deposit collected but not forwarded	\$250.00
Cleaning	\$340.00
Filing fee	\$50.00
Total	\$2140.00

Analysis

It is my finding that the landlord has returned the tenants full security deposit of \$500.00.

It is my decision that I allow the landlords claim for the outstanding October 2010 rent, because the tenant was in the rental unit until the end of October and therefore owes that full rent.

I also allow the landlords claim for lost rental revenue for November 2010. It's obvious from the evidence presented that the tenant did not leave this rental unit in reasonable condition and as a result the landlord had to do extensive cleaning to be able to re-rent the unit. Further the tenant did not completely vacate the rental unit until November 3, 2010. As a result of the late move, and the time required to clean the rental unit, the landlord was unable to re-rent the unit in the month of November 2010.

I also allow the landlords claim for cleaning, because as stated previously this rental unit was left in need of it extensive cleaning.

I also order recovery of the filing fee.

I will not order the tenant to pay any further security deposit however because it would have had to have been returned or applied towards the landlords claim at the end of the tenancy anyway.

Conclusion

I have issued a monetary order in the amount of \$1890.00.

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: March 16, 2011.

Residential Tenancy Branch