



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDC, MNR, MNSD, O, OPR

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 applicant testified that the respondent was served with notice of the hearing by hand on August 19, 2011, however the respondent 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 an Order of Possession based on the Notice to End Tenancy for non-payment of rent, a request for a monetary order for \$3940.00, and a request to retain the full security deposit towards the claim.

Background and Evidence

The applicant testified that:

- The tenant vacated the rental unit and return possession to her on August 26, 2011 and therefore she is withdrawing a request for an Order of Possession.

- The tenant however still has outstanding rent as follows:

June 2011	\$615.00
July 2011	\$950.00
August 2011	\$950.00

- They have also asking for the rental revenue for September 2011 in the amount of \$950.00, because the tenant did not cooperate in allowing them to show the rental unit and therefore they have been unable to re-rent it.
- When the tenant vacated she left the rental unit extremely dirty and left a large amount of garbage and junk behind which had to be removed to the dump.
- There are also therefore asking for the following:

Cleaning costs	\$126.00
Dump fees	\$50.00

Analysis

It is my decision that I will allow the full reduced amount claimed by the landlord. The landlord has provided photo evidence that shows the amount of junk left behind and amount of cleaning that was required and I therefore allow the claims for cleaning and dump fees.

I also accept the landlord's testimony and allow the claim for outstanding rent.

It is also my decision that I will allow the claim for lost rental revenue for the month of September 2011, as I find it very unlikely that the landlord will be able to re-rent the unit before the end of September 2011.

Therefore the total claim I have allowed is as follows:

Rent outstanding for June 2011	\$615.00
Rent outstanding for July 2011	\$950.00
Rent outstanding for August 2011	\$950.00
Lost rental revenue for September 2011	\$950.00
Dump fees	\$50.00
Cleaning costs	\$126.00
Total	\$3641.00

Conclusion

I have allowed \$3641.00 of the landlords claim and I therefore order that the landlord may retain the full security deposit of \$475.00 and have issued a monetary order in the amount of \$3166.00.

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: September 19, 2011.

Residential Tenancy Branch