



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MND, MNDC, MNR, MNSD, 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 applicant testified, and has provided evidence that shows, that the respondent was served with notice of the hearing by registered mail that was mailed on August 23, 2011, and signed for by the respondent on August 26, 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 a monetary order for \$1895.83 and a request for recovery of the \$50.00 filing fee.

Background and Evidence

The applicant testified that:

- The tenant gave no written Notice to End Tenancy, and vacated sometime in December 2010.

- They did not know the tenant was going to vacate however the December 2010 rent cheque bounced and when they went to investigate they found the rental unit empty.
- The rental unit was also left extremely dirty and the walls were damaged and as a result they had to do extensive cleaning, carpet cleaning, and repaint the walls.

The applicants are therefore requesting an order as follows:

December 2010 rent outstanding	\$775.00
January 2011 the lost rental revenue	\$775.00
Cleaning supplies and carpet cleaner rental	\$45.83
Labour for cleaning and painting	\$300.00
Filing fee	\$50.00
Total	\$1945.83

The applicant is also requesting an order allowing her to keep the full security deposit of \$387.50 towards this claim.

Witness for the applicant testified that:

- He assisted the landlord to clean and repair the rental unit and witness the poor condition in which it was left.
- The rental unit was left extremely dirty and the walls were left in need of painting.

Analysis

It is my finding that the landlord has shown that the tenant left the rental unit without giving the required Notice to End Tenancy and as a result the landlord lost the full rental revenue for the months of December 2010 and January 2011, and I therefore allow the landlords claim for that lost rental revenue.

The landlord has also shown that the rental unit was left in need of significant cleaning and repairs and is my finding that the amounts claimed for cleaning and repairs are fully justified, and I allow the full amounts claimed.

I also order recovery of the filing fee

Conclusion

I have allowed the landlords full claim of \$1945.83 and I therefore order that the landlords may retain the full security deposit of \$387.50, and have issued a monetary order in the amount of \$1558.33.

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: November 08, 2011.

Residential Tenancy Branch