



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      FF, MND, MNDC, MNR, MNSD

### Introduction

This hearing dealt with an application by the landlord for an order of possession, a monetary order and an order to retain the security deposit in partial satisfaction of the claim. The landlord participated in the conference call hearing but the tenant(s) did not. The landlord presented evidence that the tenants were served with the application for dispute resolution and notice of hearing by registered mail on December 29, 2011. I found that the tenants had been properly served with notice of the landlord's claim and the date and time of the hearing and the hearing proceeded in their absence. The landlord gave affirmed testimony.

### Issues to be Decided

Is the landlord entitled to a monetary order for unpaid rent and loss of income?

### Background and Evidence

The tenancy began on or about October 23, 2005. Rent in the amount of \$775.00 is payable in advance on the first day of each month. At the outset of the tenancy the landlord collected from the tenant a security deposit in the amount of \$345.00. The tenant failed to pay rent in the month(s) of December and on December 3, 2011 the landlord served the tenant with a notice to end tenancy.

The landlord gave the following testimony; the tenant vacated the unit on December 13, 2011, did not clean the unit, did not leave a forwarding address in writing, the landlord conducted a move in and move out condition inspection report, cleaned the unit and tried to rent as soon as possible to mitigate loss, the landlord is seeking the recovery of

costs incurred which include; late payment fee, carpet cleaning, drapery cleaning, replacing some fridge parts, key replacement, garbage removal, overall suite cleaning and advertising for a total of \$935.45 for costs incurred.. The landlord provided documentary evidence to support their claim.

### Analysis

I accept the landlord's undisputed testimony and supporting documentation. As for the monetary order, I find that the landlord has established a claim for \$775.00 in unpaid rent and 935.45 in costs incurred. The landlord is also entitled to recovery of the \$50.00 filing fee. I order that the landlord retain the \$345.00 deposit and the \$12.21 in interest which has accrued to the date of this judgment in partial satisfaction of the claim and I grant the landlord an order under section 67 for the balance due of \$. This order may be filed in the Small Claims Division of the Provincial Court and enforced as an order of that Court.

### Conclusion

The landlord is granted a monetary order for \$1403.24. The landlord may retain the security deposit.

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 06, 2012.

---

Residential Tenancy Branch