



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

### **Dispute Codes**

MNSD FF

### **Introduction**

This was an application by the landlord for a monetary order. The hearing was conducted by conference call.

The landlord participated in the hearing. The tenant did not attend although served with the application and Notice of Hearing sent by registered mail in accordance with the Act. The landlord provided proof of mail registration including the tracking number and confirmation that it was received.

### **Issue(s) to be Decided**

Is the landlord entitled to a monetary order in the amount claimed?

### **Background and Evidence**

The undisputed testimony and evidence of the landlord is that the tenancy started December 01, 2011 as a fixed term lease with an end date of November 30, 2012, and ended July 31, 2012. Rent payable was \$1080.00 per month. At the outset of the tenancy the landlord collected a security deposit of \$540.00

At the end of the tenancy the tenant did not attend the end of tenancy condition inspection and the landlord conducted an inspection and produced the requisite inspection report.

The tenants ended the tenancy earlier than the legal end of the lease, and were unable to remove their furniture at the end of the tenancy so as not to hinder the incoming tenant for August 01, 2012. The landlord moved their furniture and temporarily stored it to accommodate the outgoing tenant – incurring a cost of \$135.00. The landlord also arranged for professional carpet cleaning in accordance with the terms of the tenancy agreement and addendums at a cost of \$140.00. The landlord also seeks recovery of

the lease breaking fee of \$250.00, in accordance with the tenancy agreement pre-estimate. The landlord's total claim is the sum of **\$525.00**. The landlord provided evidence in support of their claims, inclusive of invoices and photographs.

### **Analysis**

I accept the landlord's testimony and documentary evidence submitted as sufficient to establish that they incurred the amounts claimed and that they are entitled to compensation in the sum amount of \$525.00. The landlord is entitled to recover the \$50 filing fee paid for their application for a total award of **\$575.00**.

### **Conclusion**

**I Order** that the landlord retain the security deposit of \$540.00 in partial satisfaction of the claim and I grant the landlord an order under Section 67 of the Act for the balance due of **\$15.00**. If necessary, this Order may be filed in the Small Claims Court and enforced as an Order of that Court.

**This Decision is final and binding on both parties.**

*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 06, 2012

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Residential Tenancy Branch