



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Bayside Property Services Ltd.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes MND MNR DC FF

Introduction

This hearing dealt with an application by the landlord for monetary compensation. Only the landlord attended the teleconference hearing.

The landlord submitted evidence to establish that the tenants were served with the application for dispute resolution and notice of hearing by registered mail on May 16, 2013, at the forwarding address provided by the tenants. Section 90 of the Act states that a document is deemed to have been served five days after mailing. I found that the tenants were deemed served with notice of the hearing on May 21, 2013, and I proceeded with the hearing in the absence of the tenants.

Issue(s) to be Decided

Is the landlord entitled to monetary compensation as claimed?

Background and Evidence

The tenancy began on July 1, 2010. Rent in the amount of \$980, plus \$20 for parking, was payable in advance on the first day of each month. At the outset of the tenancy, the landlord collected a security deposit from the tenant in the amount of \$460. The landlord and the tenants carried out a joint move-in inspection and completed a condition inspection report on June 28, 2010.

On April 3, 2013, the tenants gave the landlord notice that they intended to vacate the unit at the beginning of May 2013. The tenancy ended on May 1, 2013, and the parties completed a move-out condition inspection report on that date. The tenant did not agree with the landlord's claims as set out on the report. The landlord gave testimony that they advertised to re-rent the unit but they were unable to do so until June 1, 2013.

The landlord has claimed \$1000 in lost revenue for May 2013; \$60 for general cleaning; and \$89.25 for carpet cleaning.

Analysis

Upon consideration of the evidence, I find that the landlord is entitled to their claim in its entirety. The tenants gave late notice and did not move out until the first day of May 2013. I am satisfied that the landlord took reasonable steps to mitigate lost revenue by attempting to re-rent the unit. I am also satisfied, based on the landlord's evidence, that they incurred reasonable costs for cleaning and carpet cleaning.

As the landlord's claim was successful, they are also entitled to recovery of the \$50 filing fee for the cost of their application.

Conclusion

The landlord is entitled to \$1199.25. I order that the landlord retain the security deposit of \$460 in partial satisfaction of the claim and I grant the landlord an order under section 67 for the balance due of \$739.25. This order may be filed in the Small Claims Court and enforced as an order of that Court.

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: August 22, 2013

Residential Tenancy Branch