



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes FF, MND, MNDC, MNR, MNSD

Introduction

This is an application for a Monetary Order for \$1243.00 and a request to retain the full security deposit towards the claim. The applicant is also requesting recovery of the \$50.00 filing fee.

Some documentary 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(s) testified that the respondent was served with notice of the hearing by registered mail that was mailed on June 15, 2013; however the respondent did not join the conference call that was set up for the hearing.

Documents sent by registered mail are deemed served five days after mailing, and therefore it's my finding that the respondent has been properly served with notice of today's hearing.

All testimony was taken under affirmation.

Issue(s) to be Decided

Has the landlord established a monetary claim for \$1243.00?

Background and Evidence

The applicants testified that:

- This tenancy began on June 1, 2012 for a fixed term ending June 30, 2013. The tenant was not required to vacate at the end of the fixed term.
- The base rent for this rental unit was \$1000.00 per month.
- The tenant gave no Notice to End Tenancy and vacated the rental unit on June 2, 2013 and although he attempted to re-rent the unit they were unable to do so until July 1, 2013.
- The tenant paid no rent for the month of June 2013 and therefore they lost the full rental revenue for that month.
- There were some items missing at the end of the tenancy which included a smoke alarm, two window blinds, and some light bulbs, and the cost of replacing those was \$61.00.
- They also had to have the carpets cleaned at a cost of \$89.25.
- They also had to do general cleaning of 6 1/2 hours at \$12.00 per hour.
- There were also some gouges in the walls that needed to be repaired and repainted.

They are therefore requesting a Monetary Order as follows:

June 2013 lost rental revenue	\$1000.00
Replacing missing items	\$61.00
Carpet cleaning	\$89.00
General cleaning	\$78.00
Wall repair and painting	\$15.00
Filing fee	\$50.00
Total	\$1293.00

Analysis

It is my finding that the applicants have established the full amount claimed.

The tenant signed a fixed term tenancy agreement with an end of tenancy dated June 30, 2013, and therefore since the landlord was unable to re-rent the unit after the tenant vacated on June 2, 2013, the tenant is liable for that lost rental revenue.

It's also my finding that the tenant left the rental unit and carpets in the rental unit in need of cleaning and I therefore allow the landlords claim for the carpet cleaning and general cleaning.

The landlord has also shown that there were items missing at the end of the tenancy that included a smoke alarm, two blinds, and some light bulbs, and I therefore also allow the claim for the replacement cost of those items.

I also allow the claim for repair of the wall damage as I find the claim to be very reasonable.

I further allow the request for recovery of the filing fee.

Conclusion

I have allowed the landlords full claim of \$1293.00 and I therefore Order that the landlord may retain the full security deposit of \$500.00, and I have issued a Monetary Order in the amount of \$793.00.

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 26, 2013

Residential Tenancy Branch

