



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNR, MNDC, MNSD, FF

Introduction

This is an application filed by the Landlord for a monetary order for unpaid rent or utilities, for money owed or compensation for damage or loss, to keep all or part of the security deposit and recovery of the filing fee.

The Landlord attended the hearing by conference call and gave undisputed testimony. The Tenant did not attend or submit any documentary evidence. The Landlord stated in his direct testimony that the Tenant was served with the notice of hearing package and the submitted documentary evidence by Canada Post Registered Mail on November 4, 2013.

Issue(s) to be Decided

Is the Landlord entitled to a monetary order?

Is the Landlord entitled to retain the security deposit?

Background and Evidence

This Tenancy began on December 1, 2012 on a fixed term tenancy ending on December 31, 2013 and then thereafter on a month to month basis as shown by the submitted copy of the signed tenancy agreement. The monthly rent was \$1,350.00 payable on the 1st of each month and a security deposit of \$675.00 was paid.

The Landlord seeks a monetary claim of \$1,205.77. This consists of \$609.68 for the loss of rental income from July 1 to 14, 2013 as it was discovered that the Tenant vacated the rental unit without notice and that the unit was successfully re-rented on July 15, 2013. \$100.00 for the cost of an imposed strata move-out fee, \$135.80 for general cleaning that was required performed by T.L. dated June 30, 2013 for which an invoice is submitted, \$214.20 for the cost of carpet cleaning based upon a Sear invoice

dated July 5, 2013, \$4.50 for the replacement of a key not returned by the Tenant and \$91.59 for the replacement costs of lightbulbs, a tissue holder, degreaser and supplies and a doorstop as listed in a summary list provided in the claim.

Analysis

I accept the undisputed testimony of the Landlord and find on a balance of probabilities that the Landlord has established a monetary claim for \$1,155.77. The Landlord having been successful is also entitled to recovery of the \$50.00 filing fee. I order that the Landlord retain the \$675.00 security deposit in partial satisfaction of the claim and I grant a monetary order under section 67 for the balance due of \$530.77. 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 \$530.77.
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: November 13, 2013

Residential Tenancy Branch

