



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MNDC, MNR, MNSD, FF

### Introduction

This hearing dealt with an application by the landlord for a monetary order and an order to retain the security deposit in partial satisfaction of the claim. Despite having been served with the application for dispute resolution and notice of hearing by personally serving the tenant on November 5, 2013 and having the tenant acknowledge and sign service, the tenants did not participate in the conference call hearing. The landlord gave affirmed evidence.

### Issue to be Decided

Is the landlord entitled to a monetary order as claimed?

### Background, Evidence and Analysis

**The landlord's undisputed testimony is as follows.** The tenancy began on November 1, 2011 and ended on November 1, 2013. The tenants were obligated to pay \$960.00 per month in rent in advance and at the outset of the tenancy the tenants paid a \$475.00 security deposit. A condition inspection report in writing was conducted at move in and move out.

I address the landlord's claims and my findings around each as follows.

**First Claim** – The landlord stated that on October 16, 2013 the tenant gave verbal notice that she would be moving out by the end of October. The landlord stated she was unable to rent the unit for November 1 and seeks the loss of revenue for the month of November in the amount of \$960.00. Based on the absence of any disputing testimony or documentation I find that the landlord is entitled to \$960.00.

**Second Claim** – The landlord is seeking \$229.25 for carpet and drape cleaning. The landlord had the tenant "sign off" on the charges on the condition inspection report at

move out. The landlord submitted the receipt to support her claim. Based on the above I find that the landlord is entitled to \$229.25.

The landlord is entitled to the recovery of the \$50.00 filing fee.

Conclusion

The landlord has established a claim for \$1239.25. I order that the landlord retain the \$475.00 security deposit in partial satisfaction of the claim and I grant the landlord an order under section 67 for the balance due of \$764.25. 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: February 13, 2014

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Residential Tenancy Branch

