



Dispute Resolution Services

Page: 1

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 FF, MND, MNSD, MNR

Introduction

This is an application for a monetary order for \$1385.00, and a request to retain the full security deposit of \$550.00 towards the claim.

A substantial amount of documentary evidence, photo 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(s) were served with notice of the hearing by registered mail that was mailed November 4, 2014; however the respondent(s) did not join the conference call that was set up for the hearing.

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

All testimony was taken under affirmation.

Issue(s) to be Decided

Have the applicant's established a monetary claim for \$1385.00:

Background and Evidence

The applicants testified that:

- This tenancy began on June 1, 2011 with a monthly rent of \$1100.00, and a \$550.00 security deposit was collected.
- On October 5, 2013 they discovered that the tenants had vacated the rental unit without giving any notice.
- A move out inspection was done of the rental unit on October 8, 2013 and they found that the tenants had left the rental unit in need of significant cleaning and repairs, and had left a large amount of garbage behind.
- They attempted to re-rent the unit, however were unable to re-rent it in the month of October 2013 and therefore lost the full rental revenue for that month.
- They also found a very large hole in the wall of the rental unit that needed to be repaired.
- The tenants had also removed a stair railing and left it outside and as a result it had to be reinstalled.

They are therefore requesting a monetary order as follows:

October 2013 lost rental revenue	\$1100.00
Cost for caretaker to repair hole in wall	\$50.00
Cost for caretaker to reinstall railing	\$25.00
Cost for caretaker to remove garbage	\$60.00
Cost for caretaker to clean rental unit	\$100.00
Filing fee	\$50.00
Total	\$1385.00

Analysis

The tenants did not give the one clear month Notice to End Tenancy required under section 45 of the Residential Tenancy Act and therefore the tenants are liable for lost rental revenue for the month of October 2014.

I also accept the landlord's testimony that the rental unit was left in need of significant cleaning and repairs and I therefore allow the landlords claim for the cost of cleaning and repairs. I find the amounts claim to be reasonable and justified.

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

Conclusion

Pursuant is Section 67 of the Residential Tenancy Act, I allow the landlords full claim of \$1385.00 and I therefore order that the landlords may retain the full security deposit of \$550.00, and I have issued a monetary order in the amount of \$835.00.

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: February 17, 2014

Residential Tenancy Branch

