



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes MNR, MNSD, MNDC, FF

Introduction

Some written arguments have 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 respondents were served with notice of the hearing by registered mail on July 15, 2009 but did not join the conference call that was set up for the hearing.

All testimony was taken under affirmation.

Issues(s) to be Decided

This is a request for a monetary order for \$2175.00, a request to keep the full security deposit plus interest towards the claim, and a request that the respondent bear the \$50.00 cost of the filing fee paid for this application for dispute resolution.

Background and Evidence

The applicant testified that:

- The tenants failed to give the full one clear month Notice to End Tenancy.
- The tenants Notice to End Tenancy was dated May 27 but was served on the landlord on June 2, 2009.



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- The landlord attempted to re-rent the unit for the month of July however it was very difficult because the tenants refused to allow access for showings to prospective tenants.
- As a result the landlord lost the full rental revenue for the month of July 2009.
- The rental unit was re-rented for August 1, 2009.
- The tenants also left an extensive amount of garbage behind when they vacated and as a result the landlord had to pay \$125.00 to have the garbage removed.

The applicant is therefore requesting an order for \$2175.00, plus \$50.00 for the filing fee, for a total of \$2225.00.

The applicant is requesting an order allowing her to keep the full security deposit plus interest towards this amount and is requesting a monetary order for the difference.

Analysis

It is my decision that I will allow the full amount claimed by the applicant. The Residential Tenancy Act requires that one clear full months Notice to End Tenancy be given by a tenant, and if a tenant fails to do so they are liable for any lost revenue.

Tenants are also required to remove all their garbage when they vacate and if they fail to do so they are liable for the cost of the removal of that garbage.



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Conclusion

I have allowed the landlords full claim of \$2225.00. I therefore order that the landlord(s) may retain the full security deposit plus interest:

\$1004.18

I further Order that the Respondent(s) pay to the applicants the following amount:

\$1220.82

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: October 26, 2009.

Dispute Resolution Officer