



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MND MNR MNSD MNDC 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 registered mail on November 18, 2011, the tenant did not participate in the conference call hearing.

Issue(s) to be Decided

Is the landlord entitled to monetary compensation as claimed?

Background and Evidence

The tenancy began on August 1, 2011 as a fixed-term tenancy to end on January 31, 2012. Rent in the amount of \$895 was payable in advance on the first day of each month. At the outset of the tenancy, the landlord collected a security deposit from the tenant in the amount of \$450. On September 30, 2011 the tenant gave notice of his intention to vacate the rental unit, and he vacated the unit on October 31, 2011. The landlord re-rented the unit for December 1, 2011.

The landlord has claimed the following monetary amounts:

- 1) \$56 for carpet cleaning
- 2) \$33.60 for general cleaning
- 3) \$300 for liquidated damages, as per the tenancy agreement
- 4) \$895 for lost revenue for November 2011 – the landlord began advertising immediately upon receiving the tenant's notice to vacate, but was unable to re-rent the suite until December 1, 2011

Analysis

Based on the landlord's undisputed evidence, I find they are entitled to their monetary claim in its entirety. As the landlord's claim was successful, they are also entitled to recovery of the \$50 filing fee for the cost of their application.

Conclusion

The landlord is entitled to \$1334.60. I order that the landlord retain the security deposit of \$450 in partial satisfaction of the claim and I grant the landlord an order under section 67 for the balance due of \$884.60. 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 16, 2012.

Residential Tenancy Branch