



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Social Development

Decision

Dispute Codes MND, MNSD, FF

Introduction

This matter dealt with an application by the landlord for a monetary order for damage to the rental unit. The landlord also requests to retrain the security deposit and to recover the filing fee for the cost of this application.

The landlord's agent appeared at the hearing that was held via teleconference, but the tenant was not represented at the hearing. The agent gave evidence that the tenant had been sent the notice of hearing and the application for dispute resolution by registered mail sent July 16, 2008. The tenant is deemed to have received the notice on the fifth day after it was mailed. I am satisfied that the tenant has been notified of the hearing and the hearing will continue in their absence.

Issues(s) to be Decided

Is the landlord entitled to a monetary order and if so, in what amount?

Background and Evidence

The agent gave evidence that the tenancy commenced on December 16, 2007 and ended on July 1, 2008. At the commencement of the tenancy, a security deposit of \$300.00 was paid on December 15, 2007.

The landlord's claim relate to a fire which occurred in the rental unit and to an incomplete paint job in the bedroom of the rental unit. The agent submitted photo's which showed the walls had been painted green and that the paint job was incomplete. This required the landlord to repaint after the tenant had vacated the premises.

The fire occurred in the kitchen area after the tenant had placed a box on the stove which later ignited, causing damage to the stove and the walls. The landlord's claim is for a new stove and to recover the insurance deductible the landlord incurred. In support of the claim, the landlord has submitted photographs of the damage.

Analysis



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The tenant has not appeared at the hearing to refute the evidence, nor did they submit any written documents for consideration. I accept the evidence of the landlord's agent as to the extent of the damage and find that the landlord has established a case for a monetary order for the damages.

Conclusion

The landlord is entitled to recover the insurance deductible of \$1000.00, the cost of the stove at \$350.00, cost of painting of \$150.00 and the \$50.00 filing fee for this application.

I order that the landlord may retain the security deposit plus interest in the amount of \$303.49, and I grant the landlord an order for the balance of \$1246.51 in relation to this claim. The order may be filed with and enforced as an order of the Provincial Court of British Columbia.

Dated: September 23, 2008.

Dispute Resolution Officer