



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards
Ministry of Housing and Social Development

Decision

Dispute Codes: MND, MNR, MNSD, FF

Introduction

This hearing dealt with an application by the landlords for a monetary order for damage to the unit, unpaid utilities, retention of the security deposit in partial satisfaction of the claim, and recovery of the filing fee for this application. Both parties participated in the hearing and each gave affirmed testimony. All of the testimony and documentary evidence was carefully considered.

Issue(s) to be Decided

- Whether the landlords are entitled to a monetary order for any or all of the above.

Background and Evidence

The month-to-month tenancy began on June 1, 2008 and ended on July 31, 2008. Rent in the amount of \$725.00 is payable in advance on the first day of each month. At the outset of the tenancy the landlords collected a security deposit from the tenants in the amount of \$362.50. There was no move-in inspection report completed by the parties. The landlords claim costs in the grand total amount of \$566.01. This comprises costs for paint and miscellaneous painting supplies, hydro for two months, lock replacement and the application filing fee.

The tenants claim they incurred costs including but not limited to storage of their personal belongings, hotel accommodation and paint purchased for the rental unit.

Analysis

As a result of mediated discussion the parties reached an agreement. Specifically, the parties agreed that the landlords will retain \$206.25 from the security deposit to be put toward costs as set out above. This comprises one half of the security deposit in the amount of \$181.25 plus one half of the filing fee amounting to \$25.00. For their part, the tenants agree that this payment brings full closure to the matter and that they will initiate no further proceedings against the landlords for any costs whatsoever associated with the tenancy.

Conclusion

I hereby order that the landlords retain \$206.25 from the security deposit in full satisfaction of their claim. I further order that the landlords pay the tenants forthwith the amount of \$158.46, comprising the balance of the security deposit (\$156.25) plus interest (\$2.21).

September 23, 2008

Date of Decision