



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 the landlord's application for a monetary order for unpaid rent, compensation for costs incurred for cleaning the unit, retention of the security deposit in partial satisfaction of the claim, and recovery of the filing fee for this application. The landlord's agent attended the hearing and gave affirmed testimony. Despite being served by registered mail with the application for dispute resolution and notice of hearing, the tenant did not participate in the hearing.

Issues to be Decided

- Whether the landlord is entitled to a monetary order under the Act

Background and Evidence

Pursuant to a residential tenancy agreement the term of tenancy was from January 1, 2007 to December 31, 2007. Thereafter, tenancy continued on a month-to-month basis. Rent in the amount of \$895.00 is payable in advance on the first day of each month. On December 4, 2006 the landlord collected a security deposit from the tenant in the amount of \$447.50. A move-in inspection and report were completed at the commencement of the tenancy. Following the tenant's departure from the unit without notice, a move-out inspection and report were completed on October 7, 2008 with the tenant's daughter participating on behalf of the tenant.

The tenant's cheque payment for October's rent was unable to be cashed due to "not sufficient funds." Further, after the tenant vacated the unit the landlord incurred costs associated with general cleaning of the unit, carpet cleaning and removal of furniture.

The landlord submitted into evidence the tracking number for registered mailing of the application for dispute resolution and notice of hearing. Additionally, the landlord submitted an invoice for costs associated with the expenditures, as above.

Analysis

Based on the documentary evidence and undisputed testimony of the landlord's agent, I find that the landlord has established a claim for \$1,191.00. This amount is comprised of unpaid rent (\$713.00), NSF fee (\$25.00), general cleaning of the unit (\$250.00), carpet cleaning (\$103.00) and removal of furniture (\$100.00). The landlord is also entitled to recovery of the \$50.00 filing fee, bringing the total amount of the claim to \$1,241.00.

I order that the landlord retain the security deposit of \$447.50, interest of \$13.67, key deposit of \$50.00 and bike lock reimbursement of \$10.00 (total: \$521.17) in partial satisfaction of the claim, and I grant the landlord a monetary order under section 67 of the *Act* for the balance due of \$719.83.

Conclusion

I hereby grant the landlord a monetary order under section 67 of the *Act* for \$719.83. This order must be served on the tenant and may be filed in the Small Claims Court and enforced as an order of that Court.

DATE: December 29, 2008

Dispute Resolution Officer

