



Dispute Resolution Services

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

DECISION AND REASONS

Dispute Codes: MND, MNSD, & FF

Introduction:

This hearing dealt with an application by the landlord for damage to the rental unit and a request to retain the tenants' security deposit plus interest in partial satisfaction of the claim. Although the tenants were served with notice of this hearing by registered mail they did not appear for the hearing.

Issues to be Determined:

Has the landlord established a monetary claim due to damage to the rental unit?

Background and Evidence:

In the absence of any evidence from the tenants, I accept the following evidence from the landlord:

The tenancy began on September 1, 2005 for the monthly rent of \$890.00 and a security deposit of \$445.00 paid on August 22, 2005. The tenancy ended effective September 30, 2008 at which time the monthly rent was \$980.00.

The landlord states that the following damages resulted from the tenants' failure to properly clean the rental unit and leave it undamaged:

- Drape cleaning: \$30.00;
- Cleaning of rental unit: \$120.00;
- Damage to carpet from stains, rips and burns: \$600.00;
- New paint to areas tenants painted without permission: \$200.00;
- Two missing light shades replaced; \$20.00; and
- Recovery of \$50.00 filling fee paid for application.

The landlord provided copies of receipts for the work completed, photographs of the damage caused and proof of service to the tenants by registered mail.

Analysis:

In the absence of any evidence from the tenants I am satisfied that the landlords have established a monetary claim for the sum of \$1,020.00 due to the tenants' failure to clean and repair the rental unit prior to vacating. From this sum I Order that the landlord may retain the tenants' security deposit plus interest of \$460.76 and deduct the \$25.00 laundry card deposit from this sum for a remaining balance of \$534.24.

Conclusion:

I grant the landlord's application and I grant the landlord a monetary Order of the sum of **\$534.24**. This Order may be filed with the Province of British Columbia Small Claims Court and enforced as an Order of that Court.

Dated February 04, 2009.

Dispute Resolution Officer