



Dispute Resolution Services

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

Decision

Dispute Codes: MNDC

Introduction

This hearing dealt with an application from the tenant for a monetary order in compensation for damages or loss under the Act. The tenant participated in the hearing and gave affirmed testimony. Despite being served by way of registered mail with the application for dispute resolution and notice of hearing, the landlord(s) did not appear.

Issue to be Decided

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

Background and Evidence

Pursuant to a written residential tenancy agreement, the month-to-month tenancy began on or around December 28, 2005. Rent in the amount of \$769.70 was payable in advance on the first day of each month, and a security deposit of \$370.00 was collected at the start of tenancy. The tenant claimed that he paid rent in full for December 2008 and January 2009, and that by letter dated December 16, 2008 he gave the landlord(s) notice of his intent to vacate the unit on January 24, 2009.

There is no evidence of either a move-in condition inspection and report, or a move-out condition inspection and report.

Arising from an infestation of bedbugs found in the unit, it is the tenant's position that the landlord(s) is responsible for costs associated with the tenant's need to complete large volumes of laundry, in addition to costs incurred by the tenant for replacing certain bedroom furnishings. In this present claim the tenant asserts that furnishings

purchased are limited to those which replaced furnishings that had to be discarded because of the bedbug infestation.

Evidence submitted by the tenant included, but was not limited to the following:

- the tenant's letter to the landlord(s) dated November 27, 2008 in which he
 - o sets out his concerns about bedbugs found in the unit,
 - o confirms that he reported his concerns to the building manager,
 - o states that his wife has undertaken to wash items potentially affected by bedbugs,
 - o states that certain furnishings will need to be discarded because of the bedbug infestation, and
 - o requests a meeting with the landlord(s) in order to "make some agreement or solve problem...."
- invoice dated November 19, 2008 and issued by ORKIN to the landlord(s) in regard to "Bedbugs found in unit;"
- invoice dated December 3, 2008 and issued by ORKIN to the landlord(s) in regard to "2nd treatment for bedbugs;"
- receipts totaling \$60.00 for laundry services provided by Coinamatic in December 2008 and January 2009;
- a receipt dated December 30, 2008 in the total amount of \$3,404.45 for the purchase of various bedroom furnishings from United Furniture Warehouse.

Analysis

Based on the documentary evidence and undisputed testimony of the tenant, I find that the tenant has established a claim of \$3,464.45. This is comprised of the cost of bedroom furnishings (\$3,404.45) in addition to costs incurred for washing clothing and

bedding considered to have been affected by bedbugs in the unit (\$60.00). The tenant did not apply for recovery of the filing fee for this application. I therefore grant the tenant a monetary order under section 67 of the Act for \$3,464.45.

Conclusion

I hereby grant the tenant a monetary order under section 67 of the Act for **\$3,464.45**. This order may be served on the landlord(s), filed in the Small Claims Court and enforced as an order of that Court.

DATE: April 23, 2009

Dispute Resolution Officer