

Dispute Resolution Services

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

DECISION

Dispute Codes:

MND, MNDC, MNSD, FF

Introduction

This hearing was convened in response to an application by the landlord for, a Monetary Order for damage to the rental unit, for money owed or compensation for damages or loss under the Act, regulation or tenancy agreement and inclusive of recovery of the filing fee associated with this application, and an order to retain the security deposit in partial satisfaction of the monetary claim.

Despite having been served with the application for dispute resolution and notice of hearing by registered mail in accordance with Section 89 of the Residential Tenancy Act (the Act) the tenant did not participate in the conference call hearing.

Issue(s) to be Decided

Is the landlord entitled to the monetary amounts claimed?

Background and Evidence

The tenancy began on November 01, 2001. The tenant vacated the rental unit on August 31, 2008. The tenant vacated the rental unit without doing a move out inspection with the landlord.

At the outset of the tenancy, the landlord collected a security deposit from the tenant in the amount of \$372.50.

The landlord's monetary claim is supported by receipts for the following:

- Cleaning of unit	\$283.50
- Packing and storing tenant's belongings Left behind, garbage removal	\$796.95
- Power-washing of carport (oil)	\$63.00
- Carpet replacement	\$678.11
- 2 nd . & 3rd. coats of repainting / walls/ frame sides. (dark undercoat)	\$617.76
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Total claim	\$2439.32

Analysis

I find that the landlord has established a claim for **\$2439.32** in unpaid rent. The landlord is also entitled to recovery of the **\$50** filing fee, for a total entitlement of **\$2489.32**

Conclusion

I order that the landlord retain the deposit and interest of \$387.62 in partial satisfaction of the claim and I grant the landlord an order under section 67 for the balance due of **\$2101.70**. This order may be filed in the Small Claims Court and enforced as an order of that Court.

Dated May 05, 2009