



Dispute Resolution Services

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

Decision

Dispute Codes: MND, MNSD, FF

Introduction

This hearing dealt with an application from the landlord for a monetary order as compensation for cleaning, painting and repairs to damage in 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 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 tenant did not appear.

Issue to be Decided

- Whether the landlord 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 February 1, 2007. The tenant's portion of rent in the amount of \$250.00 was payable in advance on the first day of each month, and a security deposit of \$280.00 was collected on January 29, 2007. A move-in condition inspection and report were completed on February 2, 2007.

The landlord issued a 1 month notice to end tenancy for cause dated December 16, 2008. The date shown on the notice by when the tenant must vacate the unit is January 31, 2009, however, the date when the tenant actually vacated the unit was on or about February 2, 2009. The reason shown on the notice for its issuance is:

Breach of a material term of the tenancy agreement that was not corrected within a reasonable time after written notice to do so

Despite being offered two opportunities to participate in the completion of a move-out condition inspection and report, the tenant did not, and the process was completed by the landlord's representative on February 2, 2009.

Included in the landlord's evidence were receipts for costs associated with cleaning, painting and repairs to damage required in the unit following the tenant's departure, as follows:

\$105.00	carpet cleaning
\$300.00	cleaning required throughout the unit
\$442.86	painting, including repairs to surfaces
\$ 68.00	cleaning of blinds
\$151.20	repairs to blinds
\$ 30.22	replacement of 2 doorknobs
\$156.83	replacement & installation of 2 bifold doors
<u>\$ 45.00</u>	key replacement & re-keying of lock

Total: \$1,299.11

Analysis

Based on the documentary evidence, including photos, and undisputed testimony of the landlord's agent, I find that the landlord has established a claim of \$1,349.11. This is comprised of the expenses as itemized above, in addition to recovery of the \$50.00 filing fee for this application. I order that the landlord retain the security deposit of \$280.00 plus interest of \$8.14, and I grant the landlord a monetary order under section 67 of the Act for the balance due of \$1,060.97 (\$1,349.11 - \$288.14).

Conclusion

I hereby grant the landlord a monetary order under section 67 of the Act for **\$1,060.97**.

This order may be served on the tenant, filed in the Small Claims Court and enforced as an order of that Court.

DATE: May 6, 2009

Dispute Resolution Officer