



Dispute Resolution Services

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

Decision

Dispute Codes: MNR, MNDC, FF

Introduction

This hearing dealt with the landlord's application for a monetary order as compensation for unpaid rent, cleaning / painting / repairs to damage in the unit, and recovery of the filing fee. Both parties participated in the hearing and gave affirmed testimony.

Issue to be decided

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

Background and Evidence

There is no written residential tenancy agreement in place for this tenancy which began on September 1, 2008 and ended on or about February 28, 2009. Rent in the amount of \$1,600.00 was payable on the first day of each month. No security deposit or pet damage deposit was collected. There was neither a move-in inspection and report nor a move-out inspection and report completed.

Issues of dispute included, but were not necessarily limited to, what length in the term of tenancy had been agreed to between the parties, whether proper notice to end the tenancy had been given by the tenants, to what extent were painting and repairs required as a result of negligence versus normal wear and tear, whether the carpet required professional cleaning after the end of tenancy, the tenants' liability for payment of rent and utilities for the month of March 2009, and so on.

During the hearing the parties exchanged views on the circumstances giving rise to the dispute and undertook to find some resolution.

Analysis

Pursuant to section 63 of the Act, discussion between the parties during the hearing led to a full resolution of the dispute. Specifically, it was agreed as follows:

- that the tenants will pay to the landlord the full amount of \$1,026.85;
[this amount is calculated as follows:
 - o \$800.00 rent
 - o \$ 68.25 carpet cleaning
 - o \$ 33.60 screen door repair
 - o \$100.00 painting & repairs to walls
 - o \$ 25.00 filing fee]
- that the above payment will be made by way of direct deposit into the landlord's bank account by no later than midnight, Tuesday, June 30, 2009;
- that the above particulars comprise full and final settlement of all aspects of the dispute for both parties.

Conclusion

Following from all of the above, pursuant to section 67 of the Act, I hereby issue a monetary order in favour of the landlord in the amount of **\$1,026.85**. Should it be necessary, this order may be served on the tenants, filed in the Small Claims Court and enforced as an order of that Court.

DATE: June 16, 2009

Dispute Resolution Officer