



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(s) for a monetary order as compensation for cleaning and repairs to damage, retention of the security deposit in partial satisfaction of the claim, and recovery of the filing fee. Both parties participated in the hearing and gave affirmed testimony.

Issues to be decided

- Whether the landlord(s) are entitled to any or all of the above

Background and Evidence

There is no evidence of a written residential tenancy agreement for this month-to-month tenancy which began on or about April 1, 2008. Rent in the amount of \$1,200.00 was due on the first day of the month, and a security deposit of \$600.00 was collected on or about April 1, 2008.

The landlord(s) issued a 2 month notice to end tenancy for landlord's use of property dated February 1, 2009. Subsequently, the tenant(s) vacated the unit on April 1, 2009. There is no record of either, a move-in condition inspection & report, nor a move-out condition inspection & report. During the hearing the parties exchanged views on the circumstances giving rise to the dispute, including but not limited to, the comparative condition of the unit at the start and end of tenancy, efforts required by the landlord(s) to clean up and make repairs to the unit at the end of tenancy and so on.

Analysis

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

- that the landlord(s) withdraw application for recovery of the \$50.00 filing fee;
- that the landlord(s) will make cheque payment to tenant TG in the amount of **\$350.00**;
- that the above cheque will either be mailed or personally delivered to the mailing address of the tenant(s) by no later than midnight, Friday, July 17, 2009;
- that the landlord(s) will retain the balance of the tenant(s)' security deposit in the amount of \$250.00;
- that the above particulars comprise full and final settlement of all aspects of the dispute for both parties.

Conclusion

Pursuant to the above agreement, I hereby issue a monetary order in favour of the tenant(s) in the amount of **\$350.00**. Should it be necessary, this order may be served on the landlord(s), filed in the Small Claims Court and enforced as an order of that Court.

DATE: July 14, 2009

Dispute Resolution Officer