

## **DECISION**

Dispute Codes      MND, MNR, MNSD, MNDC, FF

### Introduction

This hearing dealt with the Landlord's Application for Dispute Resolution, seeking monetary orders for damage and cleaning of the unit, for unpaid rent, to keep the security deposit and for money owed under the Act or tenancy agreement.

Both parties appeared, gave affirmed testimony and were provided the opportunity to present their evidence orally and in written and documentary form, and to cross-examine the other party, and make submissions to me.

### Issues(s) to be Decided

Is the Landlord entitled to the orders sought?

### Background and Evidence

The Tenant took over a fixed term lease for the subject rental unit and took possession of the rental unit on April 1, 2009. The lease was to end in March of 2010.

On or about April 7, 2009, the Tenant allowed some persons into the rental unit, apparently to do laundry. The persons had a domestic dispute and the police had to attend. The police had to break down the door. The rental unit suffered significant damage due to the actions of the persons who were permitted into the unit.

The Landlord claims **\$5,377.46** for repairing damages, cleaning, emergency call out, unpaid rent and loss of rent. There were invoices in evidence which substantiated these claims.

The Tenant acknowledged and agreed she was responsible to the Landlord for these claims and acknowledged and agreed that she would pay the amount claimed. The Tenant and Landlord's Agent agreed to work out a payment schedule for the debt.

### Analysis

Based on the foregoing, the evidence and testimony, and on a balance of probabilities, I find that the Landlord has established a total monetary claim of **\$5,477.46**, comprised of \$5,377.46 as described above and the \$100.00 fee paid by the Landlord for this application.

I order that the Landlord retain the deposit and interest of **\$625.00** in partial satisfaction of the claim and I grant the Landlord an order under section 67 for the balance due of **\$4,852.46**.

This order may be filed in the Provincial Court (Small Claims) and enforced as an order of that Court.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Residential Tenancy Act*.

Dated: October 23, 2009.

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Dispute Resolution Officer