

Decision

Dispute Codes: MND, FF

Introduction

This hearing dealt with the landlord's application for a monetary order as compensation for damage to the unit, site or property, in addition to recovery of the filing fee. 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, neither tenant appeared.

Issues to be decided

- Whether the landlord is entitled to either or both of the above under the Act

Background and Evidence

Pursuant to a written residential tenancy agreement, the month-to-month tenancy began on June 21, 2007. Subsidized rent was payable in advance on the first day of each month.

A previous hearing was held in relation to this tenancy on February 18, 2008. As a result, an order of possession and a monetary order were issued in favour of the landlord.

The tenants vacated the unit in February 2008. Despite being offered at least two opportunities to participate in a move-out condition inspection, the tenants did not respond. In the result, a move-out condition inspection and report were completed by the landlord on February 28, 2008. Following from that inspection, the landlord incurred costs associated with cleaning and repairs required in the unit, which form the basis of the landlord's current application for a monetary order.

Analysis

Based on the documentary evidence which includes photographs and receipts, and the undisputed testimony of the landlord's agent, I find that the landlord has established a claim of \$412.85. This is comprised of \$362.85 for the costs of cleaning and repairs, in addition to the \$50.00 filing fee.

Conclusion

Following from the above and pursuant to section 67 of the Act, I hereby issue a monetary order in favour of the landlord in the amount of **\$412.85**. This order may be served on the tenants, filed in the Small Claims Court and enforced as an order of that Court.

DATE: November 19, 2009

Dispute Resolution Officer