

Decision

Dispute Codes: MND, FF

Introduction

This hearing dealt with an application by the landlord for a monetary order as compensation for damage to the unit, site or property, and 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, the tenant did not appear.

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 tenancy agreement, the month-to-month tenancy began on February 17, 2007. At the end of tenancy, rent of \$349.00 was payable in advance on the first day of each month. No security or pet damage deposit was collected. A move-in condition inspection and report were completed on February 21, 2007.

The tenant gave notice to the landlord of her intention to vacate the unit effective March 31, 2009. Subsequently, it is understood that the tenant actually vacated the unit within the first few days of April 2009.

The parties completed a move-out condition inspection and report on April 7, 2009. While the tenant signed the report, there is no specific indication as to whether or not she agreed or disagreed that the report "fairly represents the condition of the unit."

Evidence submitted by the landlord includes, but is not limited to, copies of the tenancy agreement, both of the above reports, photographs taken from inside the unit at the end of tenancy, and miscellaneous receipts for cleaning and repairs.

Analysis

Based on the documentary evidence and undisputed testimony of the landlord's agent, I find that the landlord has established entitlement to compensation as follows:

\$320.00: cleaning in the unit following the end of tenancy;

\$157.56: lino repair;

\$976.50: drywall repair and painting;

\$30.00: removal of furnishings following the end of tenancy;

\$50.00: filing fee.

Subtotal: \$1,534.06 minus \$73.00 (credit in favour of the tenant) = \$1,461.06

Conclusion

Pursuant to section 67 of the Act, I hereby issue a monetary order in favour of the landlord in the amount of \$1,461.06. Should it be necessary, this order may be served on the tenant, filed in the Small Claims Court and enforced as an order of that Court.

DATE: June 17, 2010

Dispute Resolution Officer