

DECISION

Dispute Codes

MNR, MND,MNSD, MNDC, FF

Introduction

This hearing was convened in response to an application by the landlord for a Monetary Order to recover unpaid rent and rental arrears, costs for damages to the rental unit and recovery of recovery of the filing fee associated with this application, and an order to retain the security deposit in partial satisfaction of the monetary claim.

I accept the landlord's evidence that despite the tenant having been served with the application for dispute resolution and notice of hearing by registered mail in accordance with Section 89 of the Residential Tenancy Act (the Act) the tenant did not participate in the conference call hearing. The landlord provided the requisite evidence of mail registration inclusive of the tracking numbers for the Notice of Dispute Resolution package sent on December 24, 2009, and subsequent evidence sent the tenant. As per Section 90 of the Residential Tenancy Act (the Act), the tenant is deemed served.

Issues(s) to be Decided

Is the landlord entitled to a monetary order in the amount claimed?

Background and Evidence

The undisputed testimony of the landlord is that this tenancy started October 01, 2008 and ended December 21, 2009. At the outset of the tenancy the landlord collected a security deposit in the amount of \$1080.12, which the landlord retains. The tenant did not pay rent for the months of October, November and December 2009 in the aggregate amount of **\$6874.47**, comprised of monthly rent of \$2160.24, storage of \$26.25 and parking of \$105.

The landlord further claims that the tenant caused damage to the rental unit prior to vacating. The landlord provided an end of tenancy inspection report conducted by the landlord and the agent for the tenant, . The landlord claimed remediation costs of **\$800**, for which they provided an invoice in the greater amount of \$1375.

Analysis

I accept the landlord's testimony and documentary evidence submitted as establishing the amounts claimed and that they are entitled to compensation in the amount of **\$7674.47**, for unpaid rent and damages to the rental unit.

The landlord is entitled to recover the **\$100** filing fee paid for his application for a total award of **\$7774.47**.

Conclusion

I order that the landlord retain the deposit and accrued interest of \$1084.19 in partial satisfaction of the claim and I grant the landlord an order under Section 67 of the Act for the balance due of **\$6690.28**. If necessary, this order may be filed in the Small Claims Court 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*.