



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes

MND, MNR, MNSD, MNDC, FF

Introduction

This was an application by the landlord for a monetary order. The hearing was conducted by conference call.

The landlord participated in the hearing. The tenant did not attend although served with the application and Notice of Hearing sent by registered mail on July 16, 2010 and deemed served 5 days later. The landlord provided proof of mail registration including the tracking number for the mail, purported to have been returned to the landlord.

Issue(s) to be Decided

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

Background and Evidence

The undisputed testimony and evidence of the landlord is that the tenancy started January 15, 2010 and ended April 22, 2010. Rent payable was \$890 per month. At the outset of the tenancy the landlord collected a security deposit of \$445 and a key deposit of \$25. At the end of the tenancy the landlord and tenant conducted an inspection and inspection report.

The landlord testified that the tenant was responsible for cleaning of carpets and drapes in the sum of \$165.20, and for liquidated damages assessment of \$300. The tenant also failed to pay rent and parking for March and April 2010 in the sum of \$1820. The tenant is further responsible for 3 NSF charges of \$25 each - for a total claim of **\$2360.20.**

Analysis

I accept the landlord's testimony and documentary evidence submitted as establishing the amounts claimed and that they are entitled to recovery of rent and other losses in the amount of \$2360.20. The landlord is entitled to recover the \$50 filing fee paid for their application for a total award of **\$2410.20**. The landlord requests to retain the security deposit. The landlord already has permission from the tenant to retain the key deposit of \$25.

Conclusion

I order that the landlord retain the deposit of \$445 in partial satisfaction of the claim and I grant the landlord an order under Section 67 of the Act for the balance due of **\$1965.20**. 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*.