



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes MNR, MNDC, MNSD, & FF

Introduction

This hearing dealt with an application by the landlord seeking an Order of Possession and a monetary claim related to unpaid rent by the tenant. On October 14, 2010 the landlord submitted an amendment to this application seeking only a monetary claim related to loss of rent, costs to clean the rental unit and permission to retain the tenant's security deposit in partial satisfaction of the claim.

The landlord testified that the tenant was served with notice of the original application and notice of hearing in person on September 21, 2010 and was served with a copy of the amended application in person on October 15, 2010.

I accept the landlord's request to amend the application. I also accept that the tenant was served with notice of these applications and notice of hearing in accordance with section 89 of the *Act* and preceded with the hearing in the tenant's absence.

Issues(s) to be Decided

Has the tenant breached the tenancy agreement or *Act* entitling the landlord to a monetary relief?

Background and Evidence

This tenancy began June 1, 2009 for the monthly rent of \$750.00 and a security deposit of \$415.00. The tenancy ended on September 30, 2010 after the tenant was unable to pay the rent.

The landlord is seeking the following monetary claim, which the tenant has agreed to on the move out condition inspection report:

- Loss of remaining rent for September 2010 for \$470.00;
- Carpet cleaning cost of \$72.80;

- Cost to clean blinds of \$20.00; and
- Recovery of \$50.00 filing fee paid by the landlord for this application.

From this sum the landlord requests the right to retain the tenant's security deposit in partial satisfaction of this claim and requests a monetary Order for the remaining balance owed of **\$197.80**.

Analysis

I grant the landlord's application. I accept the evidence before me that the tenant failed to pay the rent owed for September 2010 and vacated the rental unit as of September 2010. I also accept that the tenant agreed to the deductions of \$20.00 and \$72.80 to have the carpets and blinds cleaned in the rental unit.

Conclusion

I find that the landlord has established a monetary claim due to breach of the tenancy agreement by the tenant for the sum of **\$197.80**. This Order must be served on the tenant. This Order may be filed with the Province of British Columbia 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*.

Dated: October 26, 2010.

Dispute Resolution Officer