



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes MND, MNR, FF

Introduction

This hearing was convened by way of conference call to deal with the landlord's application for a monetary order for unpaid rent or utilities; for a monetary order for damage to the unit, site or property; and to recover the filing fee from the tenants for the cost of this application. The landlord was represented by two agents at the hearing, who both gave affirmed testimony. Despite being served with the Landlord's Application for Dispute Resolution and notice of hearing documents by registered mail on June 15, 2010, the tenants did not attend the conference call hearing.

The landlord provided evidence, including photographs in advance of the hearing and testified that the tenants had been served with the same evidence packages. All information and evidence has been reviewed and is considered in this Decision.

Issues(s) to be Decided

Is the landlord entitled to a monetary order for unpaid rent or utilities?

Is the landlord entitled to a monetary order for damage to the unit, site or property?

Background and Evidence

This month-to-month tenancy began on July 1, 2008 and ended on March 31, 2009. Rent in the amount of \$208.00 was payable in advance on the 1st day of each month.

The landlord's agent testified that the tenant gave written notice to the landlord on February 27, 2009 to vacate the unit by the end of March, 2009. The tenants failed to

pay any rent for the month of March, 2009. The landlord claims \$208.00 for unpaid rent.

The landlord's agent further testified that a letter was sent on March 4, 2009 to the tenants requesting them to attend for a move-out condition inspection report on March 31, 2009 or April 1, 2009. She stated that the tenant must have arranged April 1, 2009 because no final notice to do the move-out condition inspection was sent. The landlord completed the move-out condition inspection without the tenants present on April 1, 2009.

The landlord's agent stated that 11 hours were spent cleaning the unit after the tenants vacated but is claiming 2 hours. The landlord also claims \$184.00 in damages and provided a copy of an invoice sent to the tenants for that amount, which included \$40.00 for move-out cleaning, \$60.00 for door repairs and \$84.00 for carpet cleaning. The landlord's agent testified that a door had been broken during the tenancy, and provided a photograph to support that claim.

Analysis

I find that the landlord has established that the tenants failed to pay rent in the amount of \$208.00 that was due on March 1, 2009, and therefore the landlord is entitled to recovery of that amount from the tenants.

As for damages to the unit, the duration of the tenancy was less than a year, and no evidence of pets or smoking within the unit was provided which would normally be required as evidence to justify carpet cleaning expenses charged to the tenants. However, I find that the photographs of the rental unit taken after the tenants had vacated the rental unit justify the claim.

I accept the evidence of the landlord's agent with respect to cleaning required and repair to the broken door, and I find that the landlord's claim for damages is justified.

Conclusion

For the reasons set out above, the landlord's application for a monetary order for damage to the unit, site or property is hereby awarded at \$184.00.

The landlord's application for a monetary order for unpaid rent or utilities is hereby awarded at \$208.00. The landlord is also entitled to recovery of the \$50.00 filing fee for the cost of this application. I grant the landlord an order under section 67 for the balance due of \$442.00. This order may be filed in the Provincial Court of British Columbia, Small Claims division 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: November 02, 2010.

Dispute Resolution Officer