

## **Decision**

**Dispute Codes:** MND, MNSD, FF

### **Introduction**

This hearing dealt with an application by the landlord for a monetary order as compensation for damage to the unit, retention of the security deposit, and recovery of the filing fee. Both parties participated in the hearing and gave affirmed testimony.

### **Issues to be decided**

- Whether the landlord is entitled to the above under the Act

### **Background and Evidence**

Pursuant to a written tenancy agreement, the month-to-month tenancy began on June 1, 2008 and ended on June 30, 2010. By the end of tenancy, monthly rent was \$594.00. A security deposit of \$350.00 was collected on May 29, 2008, and on that same date a move-in condition inspection and report were completed by the parties. A move-out condition inspection and report were completed by the parties on or about June 23, 2010.

During the hearing the parties exchanged views on some of the circumstances surrounding the dispute, and undertook to achieve a resolution concerning the amount of expenses claimed by the landlord.

### **Analysis**

The full text of the Act, Regulation, Residential Tenancy Policy Guidelines, Fact Sheets, forms and more can be accessed via the website: [www.rto.gov.bc.ca/](http://www.rto.gov.bc.ca/)

Section 63 of the Act provides that the parties may attempt to settle their dispute during a hearing. Pursuant to this provision, discussion between the parties during the hearing

led to a resolution. Specifically, it was agreed that the tenant will bear responsibility for the following costs:

\$75.00: extra cleaning

\$288.00: painting

\$150.00: pest control

\$179.20: carpet cleaning

\$800.00: carpet & flooring repairs and / or replacement

\$65.00: patio door handle & fridge part – condiment bars

\$50.00: filing fee

Sub-total: \$1,607.20

Pursuant to the above, I find that the landlord has established a claim of \$1,607.20. I order that the landlord retain the security deposit of \$350.00, plus interest of \$3.11, and I grant the landlord a monetary order under section 67 of the Act for the balance owed of \$1,254.09 (\$1,607.20 - \$353.11).

### **Conclusion**

Pursuant to section 67 of the Act, I hereby issue a **monetary order** in favour of the landlord in the amount of **\$1,254.09**. 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: November 16, 2010

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Dispute Resolution Officer