

Decision

Dispute Codes: MNR, MND, MNSD, FF

Introduction

This hearing dealt with an application by the landlord for a monetary order as compensation for unpaid rent, compensation for damage to the unit and recovery of the filing fee. The landlord's verbal request to amend the application to include retention of the security deposit in partial satisfaction of his claim was granted. Pending the completion of replacement of a damaged window and repairs to damaged walls, the landlord presently withdrew those particular aspects of his claim; the landlord has the option of reapplying for related compensation at a later date.

The landlord and his witness both participated in the hearing and gave affirmed testimony. Despite being served in person by the landlord's witness with the application for dispute resolution and notice of hearing, the tenants did not appear.

Issues to be decided

- Whether the landlord is entitled to any or all of the above under the Act

Background and Evidence

Pursuant to a written tenancy agreement, the month-to-month tenancy began on February 1, 2010. Rent in the amount of \$1,000.00 was payable in advance on the first day of each month. The tenants were also responsible for paying a 60% share of utilities. A security deposit of \$500.00 was collected at the outset of tenancy.

On June 1, 2010, the tenants informed the landlord that they were unable to pay rent for June, and they subsequently abandoned the unit in late June 2010.

Upon accessing the unit the landlord found there was a need for miscellaneous cleaning and repairs.

Analysis

Based on the documentary evidence and the affirmed / undisputed testimony of the landlord and his witness, I find that the tenants were properly served with the application for dispute resolution and notice of hearing. Documentary evidence submitted by the landlord includes, but is not necessarily limited to, receipts and invoices.

I further find that the landlord has established a claim of \$1,564.20, which is comprised as follows:

\$1,000.00: unpaid rent for June 2010

\$205.90: gas utility (May 12 to June 11, 2010)

\$76.30: hydro utility (April 14 to June 11, 2010)

\$232.00: carpet and general cleaning

\$50.00: filing fee

Sub-total: \$1,564.20

I order that the landlord retain the security deposit of \$500.00, and I grant the landlord a monetary order under section 67 of the Act for the balance owed of \$1,064.20 (\$1,564.20 - \$500.00).

Conclusion

Pursuant to section 67 of the Act, I hereby issue a **monetary order** in favour of the landlord in the amount of **\$1,064.20**. Should it be necessary, this order may be served on the tenants, filed in the Small Claims Court and enforced as an order of that Court.

DATE: November 1, 2010

Dispute Resolution Officer