



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes: MND, MNSD, FF

Introduction

This hearing dealt with an application by the Landlord pursuant to the *Residential Tenancy Act* for a monetary order for unpaid rent, the costs of cleaning and repairs to the rental unit. The landlord also applied to retain the security deposit in partial satisfaction of his claim.

The landlord served the notice of hearing to the tenant by registered mail to the address provided by the tenant. The landlord also served the notice of hearing by registered mail to the address of the tenant's mother. Despite having been served the notice of hearing, the tenant did not attend the hearing. The landlord attended the hearing and was given full opportunity to present evidence and make submissions.

Issues to be decided

Is the landlord entitled to a monetary order for unpaid rent, cleaning and repair costs and for the filing fee? Is the landlord entitled to retain the security deposit?

Background and Evidence

The landlord testified that the tenancy started on October 01, 2009. The monthly rent was \$870.00. Prior to moving in the tenant paid a security deposit of \$425.00.

Sometime in June 2010, the tenant moved out of Province for work, but stated that he intended to keep the rental unit. The tenant owed \$270.00 for July and failed to pay rent for August - \$870.00 and September - \$850.00. On September 19, 2010, the tenant's mother removed the tenant's belongings from the apartment and handed over possession to the landlord. The landlord testified that the tenant owes a total of \$1,990.00 in unpaid rent and \$68.45 for the cost of utilities.

The landlord testified that the tenant caused damage to the curtains and drapes and left the unit in a dirty condition. The landlord filed invoices to support his monetary claim.

The landlord is claiming the following:

1.	Unpaid rent for July, August and September 2010	\$1,990.00
2.	Utilities	\$68.45
3.	Replace damaged curtains	\$345.00
4.	Wash and hang drapes	\$45.00
5.	Six hours of cleaning	\$120.00
6.	Filing fee	\$50.00
	Total	\$2,618.45

Analysis

Based on the undisputed testimony of the landlord and the documentary evidence filed by the landlord, I find that the landlord has established a claim for unpaid rent, to replace curtains and the cost of cleaning. Since the landlord has proven his claim, he is also entitled to the recovery of the filing fee.

Overall, the landlord has established a claim for \$2,618.45. I order that the landlord retain the security deposit of \$425.00 in partial satisfaction of the claim and I grant the landlord an order under section 67 of the *Residential Tenancy Act* for the balance due of \$2,193.45. This order may be filed in the Small Claims Court and enforced as an order of that Court.

Conclusion

I grant the landlord a monetary order in the amount of **\$2,193.45**.

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 23, 2010.

Dispute Resolution Officer