



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Ministry of Housing and Social Development

## **DECISION**

**Dispute Codes**      MND, MNR, MNSD, FF

### **Introduction**

This hearing dealt with an application by the landlord pursuant to the *Residential Tenancy Act* for orders as follows:

1. A monetary order pursuant to Section 67;
2. An Order allowing the landlord to retain the security deposit; and
3. An Order to recover the filing fee pursuant to Section 72.

Both parties appeared and were given full opportunity to be heard, to present evidence and to make submissions.

### **Issue(s) to be Decided**

Whether the landlord is entitled to monetary order for unpaid rent and damages and, if so, whether the landlord should be allowed to retain the security deposit and recover the filing fee.

### **Background and Findings**

#### ***Monetary Order***

Based on the evidence of both parties, I find that he is entitled to a monetary order for the rental arrears of \$4,407.00. I am not satisfied that the landlord has proven her claim for \$350.00 in cleaning costs but I will allow a nominal sum of \$100.00 for carpet shampooing.

***Security Deposit***

As I will be making a monetary award in favour of the landlord I will allow the landlord to retain the security deposit in partial satisfaction of that award.

***Filing Fees***

I find that the landlord is entitled to recover the filing fees paid for this application. I direct that the landlord deduct \$50.00 from the security deposit he holds in behalf of the tenants.

***Calculation of Monetary Award in favour of Landlord***

Monetary Award	4,147.00
Less security deposit	-595.00
Plus Filing fee	50.00
Total monetary award	3,602.00

**Conclusion**

The landlord is provided with a formal copy of a monetary order. Should the tenant(s) fail to comply with this Order, this Order may be filed and enforced as an Order of the Provincial Court of British Columbia – Small Claims Division.