



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Housing and Social Development

## **DECISION**

Dispute Codes      FF, MND, MNDC, MNR

### Introduction

An extensive amount of documentary evidence, photo evidence, and written arguments has been submitted prior to the hearing. I have thoroughly reviewed all submissions.

I also gave the applicant the opportunity to testify at the hearing.

The respondent was served with notice of the hearing by hand on November 12, 2010, but did not join the conference call that was set up for the hearing.

All testimony was taken under affirmation.

### Issues(s) to be Decided

This is a request for a monetary order for \$21,571.75

### Background and Evidence

The applicant testified that:

- When the tenant vacated the rental unit he purposely caused extensive damage, left the rental unit filthy, and left a large amount of garbage and junk to be removed.
- The tenant had damaged walls, punched holes in doors, damage cabinets, broke all screens, poured oil in the yard, left buckets of oil in the yard, and even went so far as to open numerous cans of tuna and then put them in all the heat pipes throughout the house.

- It has cost her over \$21,000 in repair costs and lost revenue.
- It costs over \$1000 alone just to have all the tuna cans and rotting tuna smell removed from all the heat vents, as the tenants had shoved the cans well into the system.
- She lost four months rent in this rental unit as it could not be rented out due to the smell, and she also lost her tenants in the lower suite and lost four months rent there due to the extensive rotting tuna smell.
- She has attempted to keep the cost down as much as possible however due to the extent of the damage is it has still been extremely expensive.

## Analysis

It is my decision that the applicant has established the full amount claimed.

The applicant has provided an extensive amount of evidence that shows the extent and cost of the damage caused by the tenant and it was extreme.

This tenant went to great lengths to cause as much damage as possible to the rental unit before vacating and as a result the landlord not only had extensive repair costs, cleaning costs, and junk removal costs, the landlord also lost a substantial amount of rental revenue.

The smell caused by the open fish cans that had been put down all the heating vents was so extreme that some companies refused to work in the building due to the smell.

The tenant's actions in this case were reprehensible and perhaps even criminal and were obviously meant to cause as much financial stress as possible to the landlord.



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## Conclusion

I have issued an order for the respondent to pay \$21,571.75 to the applicant.

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: December 16, 2010.

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Dispute Resolution Officer