

## **DECISION**

Dispute Codes        MND, MNR, MNSD, MNDC, FF

### Introduction

This hearing dealt with an application by the landlord for a monetary order for damage to the unit, unpaid rent, to keep all or part of the security deposit, money owed or compensation for damage or loss and recovery of the filing fee. The landlord participated in the conference call hearing but the tenant did not. The landlord presented evidence that the tenant was served with the application for dispute resolution and notice of hearing by registered mail. I found that the tenant had been properly served with notice of the landlord's claim and the date and time of the hearing and the hearing proceeded in their absence.

### Issues to be Decided

Is the landlord entitled to any of the above under the Act.

### Summary of Background and Evidence

This tenancy started June 1, 2010 with monthly rent of \$699.00, the tenant paid a security deposit of \$349.50. On August 11, 2010 the tenant gave the landlord written notice to vacate the property September 30, 2010.

The landlord testified that the tenant did not pay the August or September 2010 rent and that the tenant owes the landlord \$1398.00 in unpaid rent. The landlord's agent stated that the tenant did not attend the move-out inspection as requested and that the tenant did not clean the suite and left trash and personal belongings behind. The landlord's agent made 5 attempts to meet the tenant at the rental unit for the move-out inspection however neither the tenant or his girlfriend ever came to the unit to do so. The landlord's agent is requesting cleaning charges of \$120.00, dump charges \$80.00 and storage fee charges \$50.00 for a total monetary claim of \$1648.00.

### Analysis

Based on the documentary evidence and undisputed testimony of the landlord, I find on a balance of probabilities that the landlord has met the burden of proving that they have grounds for entitlement to a monetary order for unpaid rent, cleaning costs, trash fees and storage fees.

I find that the landlord has established a claim for \$1648.00.

The landlord is also entitled to recovery of the \$50.00 filing fee.

### Conclusion

I find that the landlord has established a monetary claim for \$1648.00 in unpaid rent, cleaning costs, trash fees and storage fees. The landlord is also entitled to recovery of the \$50.00 filing fee. I order the landlord pursuant to s. 38(4) of the Act to keep the tenant's \$349.50 security deposit in partial satisfaction of the claim and I grant the landlord a monetary order under section 67 for the balance due of **\$1348.50** ( $\$1648.00 + \$50.00 = \$1698.00 - \$349.50 = \$1348.50$ )

A monetary order in the amount of **\$1348.50** has been issued to the landlord and a copy of it must be served on the tenant. If the amount is not paid by the tenant, the Order may be filed in the Provincial (Small Claims) Court of British Columbia and enforced as an order of that court.

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: January 21, 2011

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Residential Tenancy Branch