

## **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 for compensation 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 her 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 November 1, 2008 with rent of \$750.00, the tenant paid a security deposit of \$375.00 and a pet damage deposit of \$200.00.

The landlord testified that the tenant vacated the rental unit in September 2010 without giving proper notice to the landlord. The landlord stated that the tenant did not clean and left trash and discarded items in the rental unit. The landlord stated that the rental unit required re-painting, the carpets cleaned, blinds cleaned, garbage removal and general suite cleaning.

The landlord is seeking compensation for the following:

July rent & late fee	\$490.00
August rent	\$750.00
August late fee	\$20.00
September rent	\$750.00
September late fee	\$20.00
Bailiff service	\$895.00
Carpet cleaning	\$78.40
Drape/blind cleaning	\$30.00
Painting/wall repair	\$291.20
Garbage removal	\$50.00

General suite cleaning	\$100.00
Filing fee	\$50.00
<b>Total</b>	<b>\$3524.60</b>

### 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, damages and cleaning costs.

I find that the landlord has established a claim for \$3474.60 in unpaid rent, damages and cleaning costs.

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 \$3474.60 in unpaid rent. 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 \$375.00 security deposit and \$200.00 pet damage deposit and \$1.08 interest in partial satisfaction of the claim and I grant the landlord a monetary order under section 67 for the balance due of **\$2948.52** ( $\$3474.60 + \$50.00 = \$3524.60 - \$375.00 = \$3149.60 - \$200.00 - \$1.08 = \$2948.52$ )

A monetary order in the amount of **\$2948.52** 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 31, 2011

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Residential Tenancy Branch