



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Public Safety and Solicitor General

DECISION

Dispute Codes MNSD & FF

Introduction

This hearing dealt with the landlords' application seeking to retain a portion of the tenants' security deposit against the cost to have the carpets cleaned in the rental unit.

Issue(s) to be Decided

Is the landlord entitled to retain \$72.80 from the tenants' security deposit?

Background and Evidence

This tenancy began on December 1, 2009 and ended as of August 31, 2010. The monthly rent of \$1,400.00 and the tenants paid a \$650.00 security deposit on November 1, 2009.

The parties did not complete move in and move out written condition inspection reports as required by the *Act*.

The parties disagreed with the condition of the rental unit at the end of the tenancy. The tenants submitted that the landlords extinguished any right to claim against the security deposit because they did not complete the reports as required. The tenants also argued that the landlords never provided them with the opportunity to clean the carpets because it was not raised as an issue until August 30, 2010.

The landlord acknowledged not completing the inspect reports as required but argued that consistent with policy the tenants are responsible for carpet cleaning at the end of a tenancy when they had a pet.

On September 14, 2010 the landlords issued the tenants a cheque for a portion of their security deposit and filed this application for Dispute Resolution. The tenants confirmed that they have a cheque from the landlord in the amount of \$527.20.

Analysis

The tenants and the landlords both acknowledged failures to conduct this tenancy as required by the *Act* and agreed to share the cost of the carpet cleaning and the filing fee for this application for Dispute Resolution.

The landlords will issue the tenants a cheque in the amount of \$11.40 which is comprised of half the cost of the carpet cleaning for \$36.40 less the \$25.00 which the tenants agree to pay towards the cost of the filing fee for this application.

In addition to this sum, the tenants will also cash cheque provided to them by the landlords in the amount of \$527.20. This sum represents the tenants' entitlement to the return of their security deposit.

Conclusion

The parties reached a mutual agreement to resolve this dispute. This decision documents the parties' agreement pursuant to section 63 of the *Act*.

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 17, 2011.

Residential Tenancy Branch