



# Dispute Resolution Services

Residential Tenancy Branch  
Ministry of Housing and Social Development

## **DECISION**

Dispute Codes      MND, MNSD, MNDC, FF

### Introduction

This hearing dealt with an application by the landlord for a monetary order and an order to retain the security deposit in partial satisfaction of the claim. Despite having been personally served on September 8 with the application for dispute resolution and notice of hearing, the tenant did not participate in the conference call hearing.

### Issue to be Decided

Is the landlord entitled to a monetary order and if so, in what amount?

### Background and Evidence

The landlord's undisputed testimony is as follows. The tenancy began on July 28, 2008 and ended on August 18, 2010. The landlord provided evidence showing that the laminate flooring and carpet were badly stained at the end of the tenancy and numerous attempts to remove the stains were unsuccessful. The landlord provided evidence showing that she paid \$2004.00 to have the flooring and carpet completely replaced. The landlord testified that the laminate was new in 2008 when the tenancy began.

The landlord further testified that the tenant failed to adequately clean the rental unit at the end of the tenancy. The landlord provided photographs of the unit as well as an invoice showing that \$60.00 was paid for 3 hours of cleaning.

The landlord testified that the tenant was credited with \$99.19 for leaving the rental unit early and asked to apply that credit toward any award made.

The landlord also seeks to recover the \$50.00 filing fee paid to bring this application.

### Analysis

I accept the landlord's undisputed testimony and find that the tenant damaged the flooring and carpet beyond repair. I find that the useful life of the flooring and carpet should have been 10 years and that the tenant deprived the landlord of 8 years of useful life. I therefore find that the tenant should be held responsible for 80% of the cost of replacing the flooring and carpet and I award the landlord \$1,603.20.

I find that the tenant failed to adequately clean the rental unit and I award the landlord \$60.00 for cleaning costs incurred.

I find that the landlord is entitled to recover the filing fee and I award the landlord \$50.00.

### Conclusion

The landlord has been awarded a total of \$1,713.20. After applying the \$99.19 credit, the award is reduced to \$1,614.01. I order the landlord to retain the \$303.61 security deposit, which includes accrued interest, in partial satisfaction of the claim and I grant the landlord a monetary award under section 67 for the balance of \$1,310.40. This order may be filed in the Small Claims Division of the Provincial Court and enforced as an order of that Court.

Dated: January 07, 2011

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