

## **DECISION**

Dispute Codes      MND, MNR, MNSD, MNDC, FF

### Introduction

This is an application by the Landlord for a monetary order for damage to the unit, site or property, for unpaid rent or utilities, to keep all or part of pet damage deposit or security deposit, for money owed or compensation for damage or loss under the Act, regulation or tenancy agreement and the recovery of the filing fee.

The Landlord attended the conference call hearing and gave undisputed affirmed testimony. The Tenant did not attend.

### Issue(s) to be Decided

Is the Landlord entitled to a monetary order?

### Background and Evidence

The Landlord states that the tenancy began on May 1, 2009 on a month to month tenancy as shown in the signed tenancy agreement submitted into evidence. The monthly rent was \$705.00 payable on the 1<sup>st</sup> of each month. A security deposit of \$345.00 was paid on April 13, 2009.

The Tenant was served with the hearing documents by registered mail on October 15, 2010 as shown on the Canada Post Registered Mail Receipt.

The Landlord states that the Tenant was in rent arrears of \$780.00 as shown on the 10 day notice to end the tenancy for unpaid rent dated November 12, 2009. The Landlord states that the arrears equal to \$705.00 for rent, \$25.00 for a NSF for the returned November rent cheque, \$25.00 for a late rent fee, \$25.00 for a rent arrears from the previous month of October. The Landlord is also seeking to claim \$68.25 for carpet cleaning as shown on the completed condition inspection report for the move-out along with the receipt from Accent Carpet Care. The Landlord is also seeking to claim \$35.00 for the cleaning of the rental unit as shown on the completed condition inspection report for the move-out and the invoice supplied by the Landlord.

### Analysis

I am satisfied that the Tenant was properly served with the hearing documents as shown by the registered mail receipt.

I find based upon the direct evidence and the supporting documents listed above that the Landlord has established a claim for \$883.25 as outlined in her application.

I find that as the Landlord has been successful in her application that she is entitled to the recovery of the \$50.00 filing fee.

The Landlord has established a claim of \$933.25. The Landlord may retain the \$345.00 security deposit in partial satisfaction of the claim. The Landlord is granted under section 67 a monetary order for \$588.25.

### Conclusion

The Landlord is granted a monetary order for \$588.25.

The Landlord may retain the \$345.00 security deposit.

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 20, 2011.

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Residential Tenancy Branch