



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Public Safety and Solicitor General

DECISION

Dispute Codes MND, FF

Introduction

Some documentary evidence, photo evidence, and written arguments has been submitted by the parties prior to the hearing. I have thoroughly reviewed all submissions.

I also gave the parties the opportunity to give their evidence orally and the parties were given the opportunity to ask questions of the other parties.

All testimony was taken under affirmation.

Issue(s) to be Decided

This is a request for a monetary order for \$2075.00 and a request of the respondent bear the \$50.00 cost of the filing fee that the applicant paid for the application for dispute resolution.

Background and Evidence

The applicant testified that:

- The tenant left the rental unit in need of painting as the walls in the living room and bedroom were badly marked up, and she estimates the cost of painting at \$1500.00.
- The tenant also left the rental unit in need of some cleaning, and she estimates the cost of cleaning to be \$125.00.
- The tenant also left the exterior door damaged and in need of replacement, and she estimates the cost of door replacement to be \$450.00.

- She did not actually have to pay to have any of this work done because the rental unit sold, however the purchasers paid \$2500.00 less because this work needed to be done.

The applicant is therefore requesting a monetary order of \$2075.00 to cover the estimated cost of repairs.

Analysis

It is my decision that I will not allow the landlords claim.

The landlord claims that the repairs to this rental unit would likely have cost \$2075.00 however she did not pay to have these repairs done, nor has she provided any independent estimates of the cost to do this work.

Further although she claims that the purchasers paid \$2500.00 less for the rental unit because of the need for the above repairs and cleaning, she has supplied no evidence in support of that claim.

In the absence of any evidence of any costs or loss to the landlord I am not willing to allow her claim.

Conclusion

This application is dismissed in full without leave to reapply.

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: February 10, 2011.

Residential Tenancy Branch