



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Ministry of Public Safety and Solicitor General

## **DECISION**

### **Dispute Codes**

MNR, MNSD, MNDC, FF

### **Introduction**

This was an application by the landlord for a monetary order. The hearing was conducted by conference call.

The landlord participated in the hearing. The tenant did not attend although served with the application and Notice of Hearing sent by registered mail on November 16, 2010. The landlord provided proof of mail registration including the tracking number for the mail, purported not to have been accepted by the tenant.

The landlord was given full opportunity to be heard, to present evidence and to make submissions.

### **Issue(s) to be Decided**

Is the landlord entitled to a monetary order in the amount claimed?

### **Background and Evidence**

The undisputed testimony and evidence of the landlord is that the tenancy started January 01, 2009 and ended October 08, 2010. Rent payable was \$11191 per month. At the outset of the tenancy the landlord collected a security deposit of \$575 and \$100 for 2 access fobs. The tenant provided notice to vacate on October 04, 2010 to vacate October 31, 2010 – paid the rent for October in the amount of \$11191 and then the tenant's cheque was returned NSF. At the end of the tenancy the landlord conducted an inspection and inspection report on their own following two offers to the tenant to participate in the move out inspection.

The landlord claims the following, for which they have provided evidence, including the Tenancy Agreement (TA), invoices and photographs.

Rent for October 2010	\$1191.00
Unpaid parking fee for October 2010	50.00
Late payment of rent for October 2010 as per TA	25.00
NSF fee for October 2010 rent cheque	25.00
Carpet cleaning as per TA	89.60
Drapery cleaning as per TA	120.96
Cleaning costs	498.40
Unreturned building fob	50.00
Light bulbs	3.50
Repainting of rental unit - mitigated to 70%	529.20
<b>Total Monetary claim on application</b>	<b>\$2582.66</b>

### **Analysis**

On preponderance of the undisputed evidence, I accept the landlord's testimony and documentary evidence submitted as establishing that they incurred the amounts claimed and that they are entitled to compensation in the amount of \$2582.86. The landlord is entitled to recover the \$50 filing fee paid for their application for a total award of **\$2632.86**. The security deposit and fob deposit will be offset from the award herein.

### ***Calculation of Monetary Order***

Rent for October 2010	\$1191.00
Unpaid parking fee for October 2010	50.00
Late payment of rent for October 2010 as per TA	25.00
NSF fee for October 2010 rent cheque	25.00
Carpet cleaning as per TA	89.60
Drapery cleaning as per TA	120.96
Cleaning costs	498.40
Unreturned building fob	50.00
Light bulbs	3.50
Repainting of rental unit - mitigated to 70%	529.20
Filing fee	50.00
<b>Less Security Deposit / access fob deposit</b>	<b>-675.00</b>
<b>Total Monetary claim on application</b>	<b>\$1957.66</b>

### **Conclusion**

**I order** that the landlord retain the security and access fob deposits in the sum of \$675 in partial satisfaction of the claim and I grant the landlord an order under Section 67 of the Act for the balance due of **\$1957.66**. If necessary, this order may be filed in the Small Claims Court 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*.