



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Public Safety and Solicitor General

DECISION

Dispute Codes MND, MNR, MNSD, MNDC, FF

Introduction

This hearing dealt with an application by the landlord for a monetary order for damages, unpaid rent, to keep all or part of the security deposit, compensation for damage or loss and recovery of the filing fee. The landlord participated in the conference call hearing but the tenants did not. The landlord presented evidence that the tenants were served with the application for dispute resolution and notice of hearing by registered mail. I found that the tenants had been properly served with notice of the landlord's claim and the date and time of the hearing and the hearing proceeded in their absence.

Issue(s) to be Decided

Is the landlord entitled to any of the above under the Act.

Summary of Background and Evidence

This 1 year, fixed term tenancy began July 1, 2008 with monthly rent of \$950.00; the tenants paid a security deposit of \$475.00.

The landlord's agent testified that the tenants abandoned the rental unit on October 16, 2010 and that the tenants did not make themselves available for a move out inspection. The tenants abandoned the rental unit with rent unpaid, damage to the unit and the rental unit dirty and requiring pest control for bed bugs.

The landlord's agent is requesting compensation in the amount of \$2510.00 for the following:

Rent balance as of October 1, 2010	\$485.00
October rent	\$950.00
October late fee	\$20.00
October payment	(\$700.00)
November rent – vacancy loss	\$950.00

Replace 2 bedroom doors	\$200.00
Drape/blind cleaning	\$125.00
Past control charge back	\$330.00
Suite cleaning	\$100.00
Filing fee	\$50.00
Total Claim	\$2150.00

Analysis

Based on the documentary evidence and undisputed testimony of the landlord, I find on a balance of probabilities that the landlord has met the burden of proving that they have grounds for entitlement to a monetary order for unpaid rent, damages and cleaning costs.

I find that the landlord has established a claim for \$2100.00 in unpaid rent, damages and cleaning costs.

The landlord is entitled to recovery of the \$50.00 filing fee.

Conclusion

I find that the landlord has established a monetary claim for \$2100.00 in unpaid rent, damages and cleaning costs. The landlord is also entitled to recovery of the \$50.00 filing fee. I order the landlord pursuant to s. 38(4) of the Act to keep the tenant's \$475.00 security deposit and \$3.58 in interest, in partial satisfaction of the claim and I grant the landlord a monetary order under section 67 for the balance due of **\$1671.42** ($\$2100.00 + \$50.00 = \$2150.00 - \$478.58 = \1671.42)

A monetary order in the amount of **\$1671.42** has been issued to the landlord and a copy of it must be served on the tenant. If the amount is not paid by the tenant, the Order may be filed in the Provincial (Small Claims) Court of British Columbia 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*.

Dated: March 15, 2011.

Residential Tenancy Branch