



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Public Safety and Solicitor General

## **DECISION**

Dispute Codes      MND, MNDC, MNR, MNSD, FF

### Introduction

A substantial amount of documentary evidence and written arguments has been submitted prior to the hearing. I have thoroughly reviewed all submissions.

I also gave the applicant the opportunity to testify at the hearing.

The respondent was served with notice of the hearing by registered mail that was mailed on October 28, 2010, but did not join the conference call that was set up for the hearing.

All testimony was taken under affirmation.

### Issue(s) to be Decided

This is a request for a monetary order for \$3173.67. The applicant is also requesting an order allowing the applicant to retain the full security deposit towards this claim.

### Background and Evidence

The applicant testified that:

- The tenant failed to pay the full June 2010 rent of \$870.00.
- The tenants vacated July 10, 2010 however failed to pay any rent for the month of July 2010.
- The rental unit was left very dirty and required eight hours of cleaning.
- The blinds in the rental unit were left dirty and in need of cleaning.
- There were 8 light bulbs the required replacement as they were burned out.

- The carpet, that was only three months old when the tenants moved into the rental unit, had to be replaced due to numerous cigarette burns and large stains.

The applicant is therefore requesting an order as follows:

Outstanding June 2010 rent	\$870.00
Outstanding July 2010 rent	\$280.65
Cleaning	\$120.00
Blind cleaning	\$84.00
Lightbulb replacement	\$20.00
Carpet replacement	\$1699.02
Filing fee	\$50.00
Total	\$3123.67

The applicant withdrew the claim for late fees, as he did not have a clause in the tenancy agreement requiring payment of late fees.

### Analysis

It is my decision that I will allow the majority of the landlords claim.

The tenant did not pay any rent in the month of June 2010 or rent for the 10 days he lived in the rental unit in July 2010 and therefore I allow the landlords claims for that outstanding rent.

I also accept the landlord's testimony that the rental unit was in need of eight hours cleaning and I therefore allow the claim for cleaning.

I allow the claim for blind cleaning, as the blinds were left dirty and in need of cleaning.

Tenant is required to replace burned-out light bulbs and failed to do so and therefore I also allow the claim for light bulbs.

I will allow 80% of the claim for replacing the carpet. Carpets have an expected lifespan of approximately 10 years and since these carpets were approximately 2 years old at the end of the tenancy, they should have lasted another eight years.

I also allow recovery of the \$50 filing fee.

Therefore the total amount of the claim that I have allowed is as follows:

Outstanding June 2010 rent	\$870.00
Outstanding July 2010 rent	\$280.65
Cleaning	\$120.00
Blind cleaning	\$84.00
Lightbulb replacement	\$20.00
80% of carpet replacement	\$1359.22
Filing fee	\$50.00
Total	\$2783.87

### Conclusion

I have allowed \$2783.87 of the applicants claim. The applicant may therefore retain the full security deposit plus interest totalling \$433.38 and I have issued a monetary order for the difference in the amount of \$2350.49.

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 01, 2011.

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Residential Tenancy Branch