



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Public Safety and Solicitor General

## **DECISION**

Dispute Codes      MNDC

### Introduction

A substantial amount of documentary evidence, photo 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 November 23, 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 \$363.44.

### Background and Evidence

The applicant testified that:

- The landlord agreed in writing to allow her to end her tenancy early and agreed to return \$350.00 of her rent.
- The landlord had agreed to return the rent by November 19, 2010 however to date has failed to do so.

- When she moved into the rental unit she also found that it was infested with fleas and as a result she had to have her cat treated for fleas at a cost of \$13.44.

The applicant is therefore requesting an order as follows:

Return of rent	\$350.00
Total	\$363.44

### Analysis

It is my decision that I will allow the applicants full claim.

The applicant has provided a copy of the signed agreement that states that the landlord will return \$350.00 by November 19 and therefore the landlord is obliged to do so.

It is also my finding that the applicant has shown that the rental unit was infested with fleas and therefore I allow the claim for the flea treatment.

### Conclusion

I have issued an order for the respondent to pay \$363.44 to the applicant.

I further order that the respondent pay the filing fee of \$50.00, which was waived for the applicant, to the director of the Residential Tenancy Branch

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 22, 2011.

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Residential Tenancy Branch