



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

Decision

Dispute Codes: MND, MNDC, MNSD, FF

Introduction

This hearing dealt with an application by the landlord for a monetary order as compensation for damage to the unit / compensation for damage or loss under the Act, regulation or tenancy agreement / retention of the security deposit / and recovery of the filing fee. Agents for the landlord participated in the hearing and gave affirmed testimony.

Despite mailing of the application for dispute resolution and notice of hearing to the tenant by way of registered mail, the tenant did not appear. Evidence submitted by the landlord includes the Canada Post tracking number for the registered mailing.

Issues to be decided

- Whether the landlord is entitled to any or all of the above under the Act, regulation or tenancy agreement

Background and Evidence

Pursuant to a written tenancy agreement, the fixed term tenancy was from September 1, 2009 to August 31, 2010. Thereafter, tenancy continued on a month-to-month basis until November 30, 2010, the effective date of an order of possession obtained by the landlord.

Monthly rent was \$945.00 and a security deposit of \$472.50 was collected at the start of tenancy. Both parties participated in the completion of a move-in condition inspection and report on September 1, 2009. The landlord's agents testified that despite being given opportunities to do so, the tenant did not participate in a move-out condition inspection. The move-out condition inspection report, therefore, bears only the signature of the landlord's agent.

The landlord seeks a monetary order in order to recover the following costs:

\$215.85: utility bill.

\$582.40: replacement of drapes.

\$428.03: replacement of carpet.

\$112.00: *furniture disposal.*

\$329.28: *cleaning.*

\$56.00: *replacement of unreturned laundry card.*

\$33.60: *replacement of unreturned keys.*

\$224.00: *damaged countertop.*

\$11.20: *replace missing light bulbs.*

\$50.00: *filing fee.*

Total: \$2,042.36

Analysis

Based on the documentary evidence and the affirmed / undisputed testimony of the landlord's agents, I find that the landlord has established a claim of \$2,042.36, as set out in detail above. I order that the landlord retain the security deposit of \$472.50, and I grant the landlord a monetary order under section 67 of the Act for the balance owed of \$1,569.86 (\$2,042.36 - \$472.50).

Conclusion

Pursuant to section 67 of the Act, I hereby issue a **monetary order** in favour of the landlord in the amount of **\$1,569.86**. Should it be necessary, this order may be served on the tenant, 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*.

DATE: April 26, 2011

Residential Tenancy Branch