



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Ministry of Public Safety and Solicitor General

DECISION

Dispute Codes MND, MNR, FF, O

Introduction

This hearing was convened in response to an application by the Landlord pursuant to the *Residential Tenancy Act* (the “Act”) for Orders as follows:

1. A Monetary Order for unpaid rent - Section 67;
2. A Monetary Order for loss or damage – Section 67;
3. An Order to recover the filing fee for this application - Section 72.

I accept the Landlord’s evidence that the Tenant was served with the application for dispute resolution and notice of hearing by personal service in accordance with Section 89 of the Act. The Tenant did not participate in the conference call hearing.

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 the monetary amounts claimed?

Background and Evidence

The tenancy began on November 1, 2010. Rent in the amount of \$700.00 is payable in advance on the first day of each month. At the outset of the tenancy, the Landlord collected a security deposit from the Tenant in the amount of \$350.00. The Tenant failed to pay rent for the month of January 2011 and moved out at the end of that month. The Tenant did not clean the unit prior to moving and left significant garbage for

removal. The Landlord states that she incurred costs for cleaning the inside of the unit and for garbage disposal. The Landlord claims \$128.50 for cleaning costs and \$28.25 for garbage removal in addition to the rental arrears for January in the amount of \$700.00. The quantum of the Landlord's monetary claim is **\$856.75**.

Analysis

Based on the Landlord's testimony, I find that the Landlord has established a monetary claim for unpaid rent for January 2011 as well as cleaning and garbage disposal costs in the total amount of \$856.75. The Landlord is also entitled to recovery of the \$50 filing fee, for a total entitlement of **\$906.75**. The **security deposit** will be off-set from the award made herein.

Calculation for Monetary Order

Rental Arrears	\$700.00
Cleaning costs	128.50
Garbage disposal	28.25
Filing Fees for the cost of this application	50.00
Less Security Deposit and interest <i>to date</i>	-350.00
Total Monetary Award	\$556.75

Conclusion

I order that the Landlord retain the **deposit** and interest of \$350.00 in partial satisfaction of the claim and I grant the Landlord an order under Section 67 of the Act for the balance due of **\$556.75**. 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*.

Dated: April 21, 2011.

Residential Tenancy Branch