



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes FF, MND, MNSD

Introduction

Some 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 March 15, 2011, 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 \$272.50 and a request for recovery of the \$50.00 filing fee.

Background and Evidence

The applicant testified that:

- When the tenant moved into this rental unit it was completely new, as there had been a fire in the rental unit and the unit had been completely rebuilt.
- At the end of the tenancy the rental unit was left dirty and damaged.
- Walls in the rental unit were stained and gouged and had large spikes in them.
- Numerous light bulbs were missing
- A window screen was missing and the windowsill was badly stained..
- The rubber seal on the refrigerator and freezer door had been pulled off.
- The carpets were stained and dirty

- It took three weeks to clean and repair the rental unit and as a result they lost the rental revenue of \$408.75 for those three weeks.
- They also had cleaning costs and repair costs of \$200.00, and there is still further repairs needed.

The applicant is therefore requesting an order allowing them to keep the full security deposit of \$272.50, to at least cover a portion of their costs and losses, and is requesting an order for recovery of the \$50.00 filing fee.

Analysis

It is my finding that the landlord has shown this rental unit was left in need of substantial cleaning and repairs that resulted in repair and cleaning costs and lost rental revenue that exceed the amount of security deposit held.

I therefore allow the landlords full claim.

Conclusion

I have allowed the landlords full claim and therefore order that the landlord may retain the full security deposit towards the claim, and I have issued a monetary order in the amount of \$50.00.

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: June 27, 2011.

Residential Tenancy Branch