



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes FF, MND, MNR, MNSD, OPC, OPR

### Introduction

Some documentary evidence and written arguments have 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 hand on May 27, 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 in the amount of \$369.99 and a request for recovery of the \$50.00 filing fee, for a total of \$419.99.

At the hearing the applicant wanted to increase the amount requested by \$789.40, however he has not filed an amendment to the application for dispute resolution, and therefore I will not deal with the requested additional claims.

### Background and Evidence

The applicant testified that:

- The tenant's girlfriend punched out a window in the rental property and as a result he had to have the window replaced at a cost of \$119.09.

- The tenant also failed to pay the full rent for the month of May 2011 and at this time there is still \$250.00 outstanding for May 2011.

The applicant is therefore requesting an order for the outstanding rent and the window cost, and an order allowing him to keep the full security deposit towards the claim. He is also requesting recovery of the \$50.00 filing fee.

### Analysis

It is my decision that I will allow the applicants claim for both the outstanding rent and the cost of replacing the window.

The damage to the window was caused by the tenants invited guest/girlfriend and therefore he is liable for the damages she has caused.

The tenant is also liable for the full rent for the month of May 2011 and therefore must pay the remaining balance of \$250.00.

I also order recovery of the filing fee.

### Conclusion

I have allowed the applicant's full claim of \$419.09 and therefore the applicant may retain the full security deposit of \$300.00 in partial satisfaction of this claim and have issued a monetary order in the amount of \$119.09.

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 21, 2011.

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Residential Tenancy Branch