



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Public Safety and Solicitor General

DECISION

Dispute Codes MNSD, MNDC, FF

Introduction

This hearing was convened in response to an application filed by the landlord seeking:

1. A monetary order for damage and/or compensation;
2. An order to be allowed to retain the security deposit; and
3. A monetary order to recover the filing fee paid for this application.

The tenant did not appear. The landlord gave evidence that he served the tenant with the Application for Dispute Resolution hearing package by way of registered mail sent December 17, 2010 to the forwarding address provided by the tenant. The landlord testified that Canada Post returned the mail to him as it was “unclaimed”. Based on this evidence I am satisfied that the tenant was deemed served with the Application for Dispute Resolution.

The landlord gave evidence under oath.

Summary of Background

The landlord testified that this tenancy began on or about April 1, 2006 at which time the tenant paid a security deposit of \$172.50. The tenant vacated the rental unit after being served with a 1 Month Notice to End Tenancy. The landlord says the tenant did not return the keys or remain long enough to prepare a Condition Inspection Report with the landlord. The landlord testified that the rental unit was not cleaned by the tenant upon her departure. The landlord says there were some repairs such as repairs to broken electrical plugs, wall plates, the screen door and latch.

The landlord testified that he initially sought December’s rent but the tenant has now paid that sum although late. The landlord now seeks costs for damage repairs and cleaning in the sum of \$379.43 plus a \$25.00 late rental payment fee, pursuant to the tenancy agreement, for December’s late rental payment.

Analysis and Findings

In absence of the tenant's evidence to the contrary I will rely on the landlord's testimony and documentary evidence and find that the tenant is responsible for costs for cleaning, repairs and the late rental payment fee totalling \$404.43.

The landlord requests to be allowed to retain the security deposit in partial satisfaction of this claim and I will grant an order in that regard.

Having been successful in this application I also find that the landlord is entitled to recover the \$50.00 filing fee paid for this application.

Conclusion

I will make an Order in favour of the landlord as follows:

Cleaning, Repairs and late payment fee	404.43
Filing Fees for the cost of this application	50.00
Less Security Deposit and interest from April 1, 2006 to the date of this Order	-178.39
Total Monetary Award in favour of Landlord	276.04

The landlord is provided with a formal Order in the above terms. The tenant must be served with a copy of the order as soon as possible. Should the tenant fail to comply with the Order the Order may be filed an enforced as an Order of the Provincial Court of British Columbia.
