



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

**Dispute Codes:** *MNSD, MNDC, MND, MNR, FF*

### **Introduction**

This hearing dealt with an application by the Landlord pursuant to the *Residential Tenancy Act* for a monetary order to recover the costs of cleaning, liquidated damages, the cost of changing locks, unpaid rent, and for the filing fee. The landlord also applied to retain the security deposit.

Both parties attended the hearing and were given full opportunity to present evidence and make submissions.

During the hearing the landlord requested that her claim be amended to withdraw all the portions of her claim other than that for unpaid rent, carpet cleaning and the filing fee,

### **Issues to be decided**

Has the landlord established a claim for costs incurred to clean the carpet, unpaid rent, and the filing fee? Is the landlord entitled to retain the security deposit?

### **Background and Evidence**

The tenancy started on July 19, 2010 for a fixed term of one year. Rent was \$1,200.00 per month due on the first of the month. Prior to moving in, the tenant paid a security deposit of \$600.00.

The landlord stated that as of January 11, 2011 the tenant owed rent in the amount of \$1,400.00. A ten day notice to end tenancy was served on the tenant. The tenant did not dispute the notice and moved out on February 04, 2011. The landlord did not find a tenant for the balance of February.

The landlord stated that the tenant did not pay rental arrears prior to moving out and owes a total of \$2,600.00 which includes \$1,200.00 for February. The landlord is also claiming \$85.00 to clean the carpet and has filed an invoice to support her claim.

### **Analysis**

Based on the sworn testimony of both parties, I accept the landlord's evidence in respect of the claim. The tenant owes \$2,600.00 for rent and \$85.00 for carpet cleaning. The landlord has proven her claim and therefore is also entitled to \$50.00 for the filing fee.

Overall the landlord has established a claim of \$2,735.00. I order that the landlord retain the security of \$600.00 in partial satisfaction of the claim and I grant the landlord an order under section 67 of the *Residential Tenancy Act* for the balance due of \$2,135.00. This order may be filed in the Small Claims Court and enforced as an order of that Court.

### **Conclusion**

I grant the landlord a monetary order for the amount of **\$2,135.00**.

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 08, 2011.

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Residential Tenancy Branch