



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MND MNR MNSD MNDC FF

### Introduction

This hearing dealt with an application by the landlord for a monetary order and an order to retain the security deposit in partial satisfaction of the claim. Despite having been served with the application for dispute resolution and notice of hearing by registered mail on April 4, 2011, the tenant did not participate in the teleconference hearing.

### Issue(s) to be Decided

Is the landlord entitled to monetary compensation as claimed?

### Background and Evidence

The tenancy began on October 1, 2006. Rent in the amount of \$895 was payable in advance on the first day of each month. On November 3, 2006, the landlord collected a security deposit from the tenant in the amount of \$412.50. The tenancy ended on June 15, 2010.

At the end of the tenancy, the tenant owed outstanding rent of \$1814.86. The landlord also claimed \$50 for two late payment fees. However, when I directed the landlord's attention to the tenancy agreement, which only allowed for late fees of \$20 each, the landlord agreed to amend their application to claim a total of \$40 for the two late fees.

The rental unit was not cleaned and required repairs at the end of the tenancy. The tenant participated in the move-out inspection and signed the inspection report acknowledging the damages claimed by the landlord. The landlord has claimed \$105 for carpet cleaning, \$98 for general cleaning, \$1320 for repairs and \$138.60 for hauling.

### Analysis

I accept the landlord's evidence, and grant the landlord their claim, for a total of \$3516.46.

As the landlord's claim was successful, he is also entitled to recovery of the \$50 filing fee for the cost of his application.

Conclusion

The landlord is entitled to \$3566.46. I order that the landlord retain the deposit and interest of \$425.32 in partial satisfaction of the claim and I grant the landlord an order under section 67 for the balance due of \$3141.14. 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: July 20, 2011.

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Residential Tenancy Branch