



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      FF, MND, MNDC

### Introduction

A substantial amount of 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 applicant testified that the respondent was served with notice of the hearing by hand on May 19, 2011, but the respondent 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 \$5,000.00 and a request for recovery of the \$50.00 filing fee

### Background and Evidence

The applicant testified that:

- At the end of the tenancy the tenant left the rental unit in need of a significant amount of cleaning and repairs and as a result the tenants that had agreed to rent the unit were unable to move in. They therefore lost the full rental revenue for the month of November 2010.

- At the end of the tenancy they found the shower faucet in pieces and as a result it had to be rebuilt by a plumber.
- The tenant also left an extensive amount of garbage in the yard of the rental unit, and that garbage had to be removed.
- The tenant had also moved the washer and dryer from the rental unit into the sauna and as a result it had to be moved back into the laundry area. It was extremely difficult to move back and they eventually had to remove the door from the sauna to be able to remove them from the sauna area. All of the washer hoses were also missing.
- The tenant also left extensive damage to the walls and doors in the rental unit, there were numerous holes in the walls, many doors had been kicked in or were hanging off the hinges. The tenants also painted some rooms without any authorization to do so and had done a very poor job using very dark-colour paints. As a result they had to do extensive repairs and painting to the interior of the rental unit.

The applicants are therefore requesting an order as follows:

That rental revenue for November 2010	\$2000.00
Remove extensive amount of garbage	\$456.00
Move washer and dryer from sauna to laundry area	\$326.00
Repair walls and doors, and repaint	\$2135.00
Total	\$5292.00

The applicant further stated that he reduces his claim to \$5,000.00 plus recovery of the \$50.00 filing fee.

### Analysis

It is my finding that the landlord has established that the rental unit and was left in need of extensive garbage removal and repairs at the end of the tenancy and therefore I allow the full amount claimed by the landlord.

The tenant did not appear at the hearing however I accept the landlord's testimony as to the condition in which the rental unit was left.

The landlord has provided documentary evidence to establish the costs of garbage removal and repairs.

### Conclusion

I have issued a monetary order in the amount of \$5,050.00.

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: August 26, 2011.

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Residential Tenancy Branch