



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MND, MNSD, 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. The tenants did not participate in the conference call hearing. The landlord presented evidence that the tenants had been served with the application for dispute resolution and notice of hearing by registered mail on May 26, 2011 and that they had signed to receive the mail on May 27, 2011. I found that the tenants had been properly served with notice of the claim and the hearing proceeded in their absence.

The tenants submitted documents which were received after the hearing had concluded. As they did not appear at the hearing to enter their documents into evidence, the documents were not considered.

Issue to be Decided

Is the landlord entitled to a monetary order as claimed?

Background and Evidence

The undisputed facts are as follows. The tenancy began on May 1, 2010 and ended on April 30, 2011. At the end of the tenancy, the parties participated in a condition inspection of the unit and a condition inspection report was generated. The male tenant signed the condition inspection report indicating that he agreed that the report accurately represented the condition of the unit and he also signed a detailed statement of charges in which he agreed to pay the landlord that amount which exceeded his security deposit.

Analysis

I accept the landlord's undisputed testimony and I find that the tenants agreed to \$1,030.00 in charges. On the basis of that agreement, I find that the landlord is entitled to recover the \$1,030.00 as well as the \$50.00 filing fee paid to bring this application, for

a total of \$1,080.00. I order the landlord to retain the \$345.00 security deposit in partial satisfaction of the claim and I grant the landlord a monetary order under section 67 for the balance of \$735.00. This order may be filed in the Small Claims Division of the Provincial Court and enforced as an order of that Court.

Conclusion

The landlord is granted a monetary order for \$735.00 and may retain the security deposit.

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: September 02, 2011

Residential Tenancy Branch