



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MND, MNSD, FF

Introduction

This hearing dealt with the landlord's Application for Dispute Resolution seeking a monetary order.

The hearing was conducted via teleconference and was attended by the tenant only. The landlord did not attend. As this was the landlord's Application for which he would have had to serve the tenant with the hearing documents, I am satisfied that landlord was well aware of this hearing and the call in procedures.

Issue(s) to be Decided

The issues to be decided are whether the landlord is entitled to a monetary order for cleaning the rental unit; for all or part of the security deposit and to recover the filing fee from the tenant for the cost of the Application for Dispute Resolution, pursuant to Sections 37, 38, 67, and 72 of the *Residential Tenancy Act (Act)*.

Background and Evidence

The tenant testified the tenancy began in October 2010 as a month to month tenancy for a monthly rent of \$850.00 plus \$25.00 each for two parking stalls for a total of \$900.00 per month due on the 1st of each month and that a security deposit of \$450.00 was paid. The tenant testified the tenancy ended on August 31, 2011.

Analysis

In the absence of the applicant landlord I find the landlord has failed to establish any entitlement to compensation for cleaning the rental unit at the end of the tenancy. Further, I find the landlord has failed to establish any entitlement to the retention of the tenant's security deposit.

Conclusion

Based on the above, I find the tenant is entitled to monetary compensation pursuant to Section 67 and I grant a monetary order in the amount of **\$450.00** comprised of the full security deposit paid by the tenant.

This order must be served on the landlord. If the landlord fails to comply with this order the tenant may file the order in the Provincial Court (Small Claims) and be 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: November 25, 2011.

Residential Tenancy Branch