



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

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

Introduction

This hearing dealt with an application by the Landlord pursuant to the *Residential Tenancy Act* for a monetary order for costs of cleaning and repairs and for the filing fee. The landlord also applied to retain the security deposit.

The landlord served the notice of hearing on the tenant by registered mail to the forwarding address provided by the tenant. The landlord filed a tracking number. Despite having been served the notice of hearing, the tenant did not attend the hearing. The landlord attended the hearing and was given full opportunity to present evidence and make submissions.

Issues to be decided

Is the landlord entitled to a monetary order for cleaning and repair costs and for the filing fee? Is the landlord entitled to retain the security deposit?

Background and Evidence

The landlord testified that the tenancy started on September 01, 2007. The rent was \$725.00 due on the first of each month. The tenant paid a security deposit of \$362.50. The tenant moved out on September 02, 2011, leaving the rental unit in a dirty condition. The landlord filed photographs which confirm the condition of the unit after the tenant moved out. The photographs confirm that the tenant left the unit in an extremely dirty condition. The landlord also filed a breakdown of the hours and cost to restore the unit to a condition in which it could be rented out.

The landlord is claiming \$715.00 for the cost of cleaning and \$50.00 for the filing fee.

Analysis

Based on the sworn testimony of the landlord and in the absence of any contradictory evidence, I accept the landlord's evidence in respect of the claim. I find that the landlord has established a claim for \$715.00 for cleaning the rental unit.

Since the landlord has proven her claim, I find that she is also entitled to the recovery of the filing fee.

I order that the landlord retain the security deposit of \$362.50 plus accrued interest of \$7.28 and I grant the landlord an order under section 67 of the *Residential Tenancy Act* for the balance due of \$395.22. 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 in the amount of **\$395.22**.

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 23, 2011.

Residential Tenancy Branch