



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD, MNR, FF

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(s) testified that the respondent(s) were served with notice of the hearing by registered mail that was mailed on September 22, 2011, however the respondent(s) 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 \$666.09 plus the security deposit of \$575.00, and a request for recovery of the \$50.00 filing fee

Background and Evidence

The applicants testified that:

- The tenants did not pay the full August 2011 rent, and therefore at the end of the tenancy there was still \$383.36 outstanding.
- The tenants caused burns to a carpet in the rental unit and as a result it had to be replaced.

- The tenants did not return the keys to the rental unit and as a result they had to have the locks changed.
- The tenants did not remove all their belongings in time for the new tenants to move in and as a result he had to hire someone to move their belongings out of the rental unit.
- The remainder of the carpets in the rental unit were also left very dirty and smelling of cat smell, and as a result they all had to be cleaned.
- At the end of the tenancy there was a bar fridge, and a freezer missing from the rental unit.

The applicants are therefore requesting an order as follows:

August 2011 rent outstanding	\$383.36
Replace burned carpet	\$300.00
Change the locks	\$94.73
Hire movers and truck	\$80.00
Landlords time to assist with move	\$40.00
Carpet cleaning	\$168.00
Missing bar fridge	\$75.00
Missing freezer	\$100.00
Filing fee	\$50.00
Total	\$1291.09

The applicants therefore request an order to keep the full security deposit of \$575.00 towards the claim and request a monetary order in the amount of \$716.09 be issued.

Analysis

It is my decision that the applicants have established the full amount claimed.

The tenants only paid a portion of the August 2011 rent and yet did not vacate until September 1, 2011 and therefore they are still liable for the remainder of the August 2011 rent.

The tenants also left the rental unit in need of significant cleaning and repairs, and is my finding that the full amounts claimed by the landlords are justified.

The tenants also failed to vacate the rental unit and the end of their tenancy and as a result the landlord had to hire movers to assist the tenants to vacate so the new tenants could move in, and it is my decision that the respondents are liable for those moving costs, and for the landlords time.

The tenants also failed to return the keys to the rental unit and therefore I allow the landlords claim for changing the locks.

It is also my finding that the landlord has shown that there was a bar fridge, and freezer missing at the end the tenancy and I therefore allow the amounts claimed for those missing items as I find the amounts claimed to be reasonable.

Conclusion

I have allowed the landlords full claim of \$1291.09 and I therefore order that the landlord may retain the full security deposit of \$575.00, and I have issued a monetary order in the amount of \$716.09.

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: December 06, 2011.

Residential Tenancy Branch