



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: MND, MNR, FF

Introduction

This hearing dealt with an application by the landlord pursuant to the *Residential Tenancy Act* for orders as follows:

1. A monetary order pursuant to Section 67; and
2. An Order to recover the filing fee pursuant to Section 72.

I accept that the tenant was properly served with the Notice to End Tenancy on July 7, 2010 by personal service and served with the Application for Dispute Resolution on September 14, 2011 by way of registered mail.

The tenant did not appear. The landlord was given full opportunity to be heard, to present evidence and to make submissions.

On the basis of the solemnly sworn evidence presented at the hearing a decision has been reached.

Issue(s) to be Decided

Whether the landlord is entitled to monetary order for compensation for unpaid rent, damage and/or loss and whether the landlord is entitled to recover the filing fee paid for this application.

Background and Findings

Monetary Order

Unpaid Rent, Damages, Cleaning

The landlord submits that the tenant did vacate the rental unit following service of a Notice to do so. The landlord says the tenant frequently did not pay the full monthly rent of \$1,000.00 making sporadic payments towards arrears during the course of the tenancy. The landlord provided an accounting of rental charges and payments made with the result that at the end of the tenancy there remained rental arrears of \$2,660.00. Based on the undisputed evidence of the landlord I find that the landlord is entitled to a monetary award for these arrears.

With respect to the balance of the landlord's claims the landlord supplied photographs of the rental unit and his testimony that the tenant had 9 cats living in the rental unit with him. The cats scratched walls, urinated and defecated on the carpets necessitating their replacement. The landlord provided estimates of the cost to repair all damages and replace the carpets in the sum of \$1,035.72. Based on the undisputed evidence of the landlord I find that this sum is reasonable given the extent of the damage and I will award the landlord the sum requested.

Filing Fees

As the landlord has been successful with this application I find that the landlord is entitled to recover the filing fees paid for this application.

Calculation of total Monetary Award

Rental Arrears	\$2,550.00
Damages	1,035.72
Filing Fees for the cost of this application	50.00
Total Monetary Award	\$3,635.72

Conclusion

The landlord is provided with a formal copy of an order for the total monetary award as set out above. Should the tenant(s) fail to comply with this Order, this Order may be filed and enforced as an Order of the Provincial Court of British Columbia.

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 29, 2011.

Residential Tenancy Branch