



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

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

Introduction

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

The landlord testified that she served the tenant with the notice of hearing by registered mail to the 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 unpaid rent, the cost of cleaning and repairs and the filing fee?

Background and Evidence

The landlord testified that the tenancy started on March 01, 2010 and ended on March 27, 2011. The monthly rent was \$1,220.00 payable on the first of each month. Prior to moving in, the tenant paid a security deposit of \$610.00 and a key deposit of \$60.00

The landlord stated that a move out inspection was conducted on March 27, 2011. The tenant has signed the move out inspection report. On April 05, the tenant also signed a statement of accounts which outlined the cost of cleaning, loss of income and unpaid rent. The tenant agreed that he owed the landlord \$2,857.58 and also agreed to allow the landlord to retain the security deposit in partial satisfaction of her claim.

The tenant did not pay this amount and therefore the landlord filed this application for a monetary order in the amount of \$2,857.58 plus \$50.00 for the filing fee. The landlord has also applied to retain the security deposit in partial satisfaction of her claim

Analysis

Based on the undisputed testimony of the landlord and the statement of accounts signed by both parties, I find that the landlord has established a claim for \$2,857.58. Since the landlord has proven her case, she is also entitled to the recovery of the filing fee of \$50.00.

Overall the landlord has established a claim of \$2,907.58. I order that the landlord retain the security deposit of \$610.00 and the key deposit of \$60.00 in partial satisfaction of the claim and I grant the landlord an order under section 67 of the *Residential Tenancy Act* for the balance due of \$2,237.58. This order may be filed in the Small Claims Court and enforced as an order of that Court.

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Conclusion

I grant the landlord a monetary order of **\$2,237.58**

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: January 23, 2012.

Residential Tenancy Branch