



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD, O, FF

Introduction

This hearing dealt with an application by the landlord for a monetary order and an order to retain the security deposit in partial satisfaction of the claim. The landlord presented evidence that the tenants were served with the application for dispute resolution and notice of hearing via registered mail sent on December 2, 2011. I found that the tenants had been properly served with notice of the claim against them and the hearing proceeded in their absence.

Issue to be Decided

Is the landlord entitled to a monetary order as claimed?

Background and Evidence

The undisputed evidence of the landlord and witnesses is as follows. The tenancy began in February 2011 at which time a \$375.00 security deposit was paid. The tenants vacated the rental unit in October 2011 and despite having been given 2 opportunities to scheduled a condition inspection, they failed to participate in the inspection of the unit.

The landlord seeks to recover \$75.00 as the cost of cleaning draperies at the end of the tenancy as they had not been cleaned and had bloodstains and holes. The landlord provided an invoice for this work.

The landlord seeks to recover \$200.00 as the cost of cleaning the rental unit. The landlord provided an invoice and photographs showing the condition of the unit and the landlord and witnesses testified that nothing in the unit had been cleaned.

The landlord seeks to recover \$120.00 as the cost of materials to repair cupboards, a door and the door of the refrigerator.

The landlord seeks to recover the \$50.00 filing fee paid to bring this application.

Analysis

I accept the undisputed testimony and evidence of the landlord and his witnesses and I find that the tenants failed to clean the drapes or the rental unit and that repairs were required. I find that the landlord incurred charges of \$395.00 to effect the cleaning and repairs as well as a \$50.00 filing fee to make his claim. I award the landlord \$445.00.

I order the landlord to retain the \$375.00 security deposit in partial satisfaction of the claim and I grant the landlord a monetary order under section 67 for the balance of \$70.00. This order may be filed in the Small Claims Division of the Provincial Court and enforced as an order of that Court.

Conclusion

The landlord is granted a monetary order for \$70.00 and will retain the security deposit.

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: February 03, 2012

Residential Tenancy Branch