



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      FF, MND, MNR, MNSD

### Introduction

A substantial amount of documentary evidence, photo 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 November 23, 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 in the amount of \$1041.50, a request for recovery of the \$50.00 filing fee, and a request to retain the full security deposit of \$425.00 towards the claim.

### Background and Evidence

The applicant testified that:

- The carpets in the rental unit were left dirty and stained and some even had vomit on them and as a result he had to clean the carpets.
- One carpet had been burned during the tenancy and as a result the tenants had cut out the burn leaving a large hole in the carpet and therefore the carpet had to be replaced. This was a very old carpet, approximately 15 to 20 years old.

- The tenants had turned off the fridge but left food in it and therefore meat had flawed and the juices had run down all through the fridge and as a result he had to do an extensive cleaning of the fridge.
- The tenants also left of extensive amount of junk in the yard and as a result he had to clean out the whole yard. He had even had a warning from the bylaw enforcement officer.
- The tenants left the bathroom very dirty, and with paint splatters all over the floor, mirrors, bathtub, etc. and he had to spend three hours cleaning the bathroom and scraping off paint drips.
- The tenants also failed to give proper Notice to End Tenancy giving verbal notice on October 14, 2011 and then vacating on November 1, 2011. As a result of the improper notice he lost one half a months rent for the month of November 2011.
- He tried to mitigate his loss and was able to re-rent the unit for the last half of November 2011.
- The tenant also split a door in the rental unit and he had to replace the door and reinstall it.

The applicant is therefore requesting an order as follows:

Carpet cleaning	\$84.00
Carpet replacement materials	\$250.00
Carpet replacement labour	\$45.00
Fridge cleaning	\$52.50
Yard clean up	\$105.00
Bathroom cleaning	\$45.00
November 2011 lost rental revenue	\$425.00
Replace broken door	\$35.00
Filing fee	\$50.00
Total	\$1091.50

### Analysis

After reviewing all the evidence in the file it is my finding that the landlord has established the full claim other than the cost of replacing the carpet. Carpets are considered to be fully depreciated and of no value after 10 years and therefore since this carpet was 15 to 20 years old it's considered completely depreciated.

I allow the remaining claims for cleaning and repairs as it is obvious from the evidence presented that the tenants left the rental unit in need of significant cleaning and repairs.

I also allow the claim for lost rental revenue because the tenants did not give the required one clear months notice to end the tenancy and as a result the landlord lost one half the rental revenue for the following month.

I will also allow recovery of the \$50.00 filing fee

### Conclusion

I have allowed \$796.50 of the landlords claim and I therefore order that the landlord may retain the full security deposit of \$425.00 and I have issued a monetary order in the amount of \$371.50.

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 27, 2012.

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Residential Tenancy Branch