



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MND MNDC 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. Both an agent for the landlord and the tenant participated in the conference call hearing.

Issue(s) to be Decided

Is the landlord entitled to monetary compensation as claimed?

Background and Evidence

The tenancy began on November 9, 2009 and ended on December 31, 2010. The landlord has claimed for NSF fees and repairs after the tenant moved out.

The landlord claimed \$38 in NSF fees, as per the tenancy agreement; \$89.60 for removing stains from the carpet; and \$2067.03 for 75 percent of the costs of repairing the drywall and painting. In the hearing the landlord stated that they received a \$100 payment from the tenant in December 2011, so the landlord was reducing their claim by \$100.

The tenant acknowledged the amounts owing, and stated that the damages to the drywall were pretty bad.

Analysis

I find that the landlord is entitled to their monetary claim of \$2194.63, less the \$100 payment, for a total of \$2094.63.

As the landlord's claim was successful, they are also entitled to recovery of the \$50 filing fee for the cost of their application.

Conclusion

I grant the landlord an order under section 67 for the balance due of \$2144.63. This order may be filed in the Small Claims Court and enforced as an order of that Court.

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 23, 2012.

Residential Tenancy Branch