

## **DECISION**

Dispute Codes      MNR, FF

### **Introduction**

This is an application filed by the Landlord for a monetary order for unpaid rent, money owed or compensation for damage and recovery of the filing fee.

The Landlord attended the hearing by conference call and gave undisputed testimony. The Tenant did not attend. The Landlord states that the Tenants were served with the notice of hearing and evidence package by Canada Post Registered Mail on January 30, 2012 and has submitted copies of the Customer Receipts as evidence and confirmation that the Tenants were served. No evidence has been submitted by the Tenants. As such, I find that all of the parties have been properly served with the notice of hearing and any evidence packages under the Act.

### **Issue(s) to be Decided**

Is the Landlord entitled to a monetary order?

### **Background and Evidence**

This Tenancy began on March 1, 2009 on a month to month basis and ended on August 31, 2010. The monthly rent was \$504.00 and no security deposit was paid as shown in the submitted copy of the signed tenancy agreement.

The Landlord seeks recovery of unpaid rent of \$423.00. The Landlord indicated in her direct testimony that an overpayment occurred in the previous months rent and that this was the outstanding amount left.

The Landlord also seeks recovery of cleaning and damage/repair costs of \$524.83. The Landlord relies on photographs, the condition inspection reports for both the move-in and the move-out, and invoices for each of the expenses incurred. This consists of \$91.39 for cleaning costs from Painterman Enterprises, \$220.64 for the replacement of a range hood (which was new at the beginning of tenancy in 2009) from Starlite Electric, \$156.80 for additional carpet cleaning required for stains from Perfect Shine Janitorial and \$56.00 for the drywall damage repair for a hole in the wall from Four Corner Construction.

Analysis

I accept the Landlord's undisputed testimony and based upon all of the documentary evidence and on a balance of probabilities that the Landlord has established a claim for unpaid rent of \$423.00 and the \$524.83 in damages and repairs. The Landlord has established a monetary claim for \$947.83. The Landlord is also entitled to recovery of the \$50.00 filing fee. I grant the Landlord a monetary order under section 67 for the balance due of \$997.83. 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 \$997.83.

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: March 21, 2012.

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Residential Tenancy Branch