



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes FF, OPR, MND< MNR, MNSD, MNDC

Introduction

A substantial amount of documentary 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 on February 15, 2012, 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 an Order of Possession, a request for a monetary order for \$7,500.00, a request for recovery of the \$50.00 filing fee, and a request to retain the full security deposit of \$800.00 towards the claim.

Background and Evidence

The applicant testified that:

- They no longer need an Order of Possession because the respondents have vacated the rental unit.
- The tenants were given a \$1000.00 allowance to purchase a washer and dryer, however the tenants purchased a more expensive washer and dryer that cost \$1560.00 and had the invoice sent to the landlords.
- They are therefore requesting that the tenants be held liable for the extra \$560.00 which was not authorized.
- Further at the end of the tenancy the washer and the dryer were left extensively damaged with numerous dents to both.

- The tenants also owed \$4,325.00 in outstanding rent at the end of the tenancy.
- The tenants also left the rental unit extremely dirty and as a result they had to have the carpets professionally cleaned and had to do extensive cleaning in the rental unit.
- The tenants also failed to pay their utility bills and although they do not have all the bills at this time, they estimate the amount owed at \$500.00.

The applicants are therefore requesting a monetary order as follows:

Rent outstanding	\$4325.00
Utilities outstanding (estimate)	\$500.00
Carpet cleaning costs	\$334.88
House cleaning costs	\$537.60
Unauthorized washer and dryer costs	\$560.00
Filing fee	\$100.00
Total	\$6357.48

Analysis

It is my finding that the landlord has shown that there is a total of \$4325.00 in rent outstanding and therefore I allow that portion of the claim.

I am not however willing to allow the remainder of the claim, at this time, because the landlord has failed to supply any evidence to support the remainder of the claim.

The landlord states that he does have invoices to prove the remainder of the claim, however all evidence had to be in the least five days prior to the hearing, and none of that evidence has been supplied for today's hearing.

However since the respondent did not appear for today's hearing I am willing to dismiss the remainder of the claim with leave to reapply. However I caution the landlord that if he intends to reapply for the remainder of the claim he must ensure that he provides his evidence in advance of the hearing date.

Since I have allowed a portion of the landlords claim, I will allow \$50.00 of the filing fee.

Conclusion

I have allowed \$4375.00 of the landlords claim and I therefore order that the landlord may retain the full security deposit of \$800.00 and have issued a monetary order in the amount of \$3575.00.

As stated above the remainder of the landlords claim is dismissed with leave to reapply.

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 07, 2012.

Residential Tenancy Branch