



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MND MNR MNSD 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. On January 31, 2012, the landlord personally attended at the tenants' forwarding address and served the application for dispute resolution and notice of hearing packages on the adult brother of one of the tenants; however, the tenants did not participate in the conference call hearing.

The landlord named three respondents on his application. As only two of the respondents were named on the tenancy agreement as tenants and none of the respondents appeared in the hearing, I removed the name of the third respondent.

Issue(s) to be Decided

Is the landlord entitled to monetary compensation as claimed?

Background and Evidence

The tenancy began on August 1, 2011. Rent in the amount of \$900 was payable in advance on the first day of each month. At the outset of the tenancy, the landlord collected a security deposit from the tenant in the amount of \$450. The tenants failed to pay rent for December 2011 and the tenants vacated the rental unit in December 2011.

The landlord has claimed the following monetary amounts:

- 1) \$900 for rent for December 2011
- 2) \$125 for cleaning
- 3) \$50 for lawn mowing – the tenants were required in the tenancy agreement to mow the lawn but they failed to do so
- 4) \$181.48 for painting and repairs
- 5) \$95.50 for garbage removal
- 6) \$45.06 for taxes on cleaning materials and garbage removal

The landlord provided photographs of the dirty condition of the rental unit and abandoned furniture at the end of the tenancy.

Analysis

Based on the landlord's undisputed evidence, I find that he is entitled to his claim in its entirety. As the landlord's claim was successful, he is also entitled to recovery of the \$50 filing fee for the cost of his application.

Conclusion

The landlord is entitled to \$1447.04. I order that the landlord retain the security deposit of \$450 in partial satisfaction of the claim and I grant the landlord an order under section 67 for the balance due of \$997.04. 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: April 11, 2012.

Residential Tenancy Branch