



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      FF, MND, MNDC, MNR

### 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 testified that respondent **C.V.** was served with notice of the hearing by registered mail that was mailed on February 14, 2012, however the respondent did not join the conference call that was set up for the hearing. The respondent failed to claim the registered mail; however registered mail is considered served five days after mailing even if the respondent fails to claim the registered mail.

Respondent **D.A.** has not been served with notice of today's hearing, and therefore his name has been removed from the order issued

All testimony was taken under affirmation.

### Issue(s) to be Decided

This is a request for a monetary order for \$7,641.52 and a request for recovery of the \$100.00 filing fee.

### Background and Evidence

The applicant testified that:

- This tenancy began on October 7, 2011 and ended on January 4, 2012 pursuant to a notice of eviction.
- All monies paid to the landlord during the tenancy were paid by cheques that were not honoured by the bank and therefore the tenant owes the full rent for the term of the tenancy.
- Even the tenant's security deposit cheque failed to clear the bank.
- The tenants also failed to pay the utilities during the tenancy and therefore the landlord has had to pay those utilities.
- The tenants also left the rental unit extremely dirty and as a result they had to have extensive cleaning done.

The applicant is therefore requesting an order as follows:

October 2011 rent outstanding	\$1432.00
November 2011 rent outstanding	\$1850.00
December 2011 rent outstanding	\$1850.00
January 2011 rent outstanding	\$238.71
January 2011 lost rental revenue	\$1611.29
B.C. Hydro utilities outstanding	\$339.52
Cleaning costs	\$320.00
Filing fee	\$100.00
Total	\$7741.52

### Analysis

It is my finding that the landlord has established the full amount claimed.

The tenants lived in the rental unit from October 7, 2011 to January 4, 2012 without paying any of the rent or utilities required under the tenancy agreement.

The tenants also left the rental unit extremely dirty.

The landlord also lost the full rental revenue for the month of January 2012 as he was unable to re-rent the unit until February 1, 2012.

Conclusion

I have issued an order for respondent C.V. to pay \$7,741.52 to the applicant

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 23, 2012.

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Residential Tenancy Branch