



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes

MNSD, FF

Introduction

This was an application by the landlord for a Monetary Order inclusive of retaining the security deposit of the tenancy and recovery of the filing fee. The hearing was conducted by conference call.

The landlord participated in the hearing. The tenant did not attend although served with the application and Notice of Hearing sent by registered mail. The landlord testified they tracked the registered mail on line and it is purported to have been delivered to the tenant's address.

Issue(s) to be Decided

Is the landlord entitled to a Monetary Order in the amount claimed?

Background and Evidence

The undisputed testimony and evidence of the landlord is that the tenancy started May 2010 and ended February 14, 2012. At the outset of the tenancy the landlord collected a security deposit of \$1000 and has returned \$400 to the tenant.

At the start and end of the tenancy the landlord and tenant conducted an inspection and inspection report. At the end of the tenancy the parties were in purported agreement with the landlord's deduction of \$600 but no written agreement to this arrangement was obtained.

The landlord claims the tenant caused certain damage which the landlord supported by way of photographs and invoices for the costs to remediate the rental unit. The landlord claimed cleaning costs for the carpeting (carpet staining) and for general cleaning, as well as for more minor repairs to the bathtub, washroom electrical switch and switch plate in the sum total of \$600.05.

Analysis

I accept the landlord's testimony and documentary evidence submitted as establishing that they incurred the amounts claimed and that they are entitled to compensation in the claimed amount of \$600.05. The landlord is entitled to recover the \$50 filing fee paid for their application for a total award of **\$650.05**.

Conclusion

I Order that the landlord retain the fractional security deposit of \$600.00 in partial satisfaction of the claim and I grant the landlord an Order under Section 67 of the Act for the balance due of **\$50.05**. If necessary, this order may be filed in the Small Claims Court and enforced as an order of that Court.

This Decision is final and binding on the parties.

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 30, 2012

Residential Tenancy Branch