



# Dispute Resolution Services

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MND, MNSD, FF

### Introduction

This hearing dealt with an application by the landlord for an order permitting her to retain part of the tenants' security deposit. Despite having been served with the application for dispute resolution and notice of hearing via registered mail sent on April 10 and with the landlord's evidence sent via registered mail on April 13, the tenants did not participate in the conference call hearing.

### Issue to be Decided

Should the landlord be permitted to retain part of the security deposit?

### Background and Evidence

The landlord's undisputed testimony is as follows. The tenancy began on March 1, 2007 at which time the tenants paid a \$525.00 security deposit and ended on March 31, 2012. The tenants failed to clean the unit and the landlord spent 8 hours cleaning. The landlord provided photographs showing the condition of the unit. The landlord seeks to recover \$200.00 which represents 8 hours of cleaning at a rate of \$25.00 per hour as well as \$10.00 for cleaning supplies

The landlord had to replace 2 light bulbs at the end of the tenancy at a cost of \$4.00 each and also had to replace a light fixture which had become rusted during the tenancy at a cost of \$19.00.

The landlord also seeks to recover the \$50.00 filing fee paid to bring her application.

### Analysis

I accept the landlord's undisputed testimony and I find that the tenants failed to adequately clean the rental unit, that they left 2 burned out light bulbs and that they allowed a fixture to rust, requiring its replacement. I find that the landlord is entitled to recover the costs as outlined above and I award her a total of \$287.00. I order the

landlord to retain this sum from the \$539.66 security deposit and interest which has accrued to the date of this judgment and I order the landlord to return the balance of \$252.66 to the tenants forthwith.

Conclusion

The landlord will retain \$287.00 from the security deposit and is ordered to return \$252.66 to the tenants. I grant the tenants a monetary order under section 67 for \$252.66. This order may be filed in the Small Claims Division of the Provincial 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 30, 2012

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Residential Tenancy Branch