



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MND MNR MNSD 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. Despite having been served with the application for dispute resolution and notice of hearing by registered mail on March 29, 2012, the tenant did not participate in the conference call hearing.

### Issue(s) to be Decided

Is the landlord entitled to monetary compensation as claimed?

### Background and Evidence

The tenancy began on April 1, 2010. Rent in the amount of \$1960 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 \$995. The tenant also paid the landlord key and fob deposits totalling \$140. The tenant failed to pay rent for February 2012 and moved out of the rental unit at the end of February 2012.

The landlord has claimed the following monetary amounts:

- 1) \$1960 in unpaid rent for February 2012;
- 2) \$565 for cleaning and deodorizing unit – tenants were heavy smokers, even though the rental unit was non-smoking
- 3) \$618.50 to repair a broken glass wall
- 4) \$218.50 for blinds cleaning

In support of his claim, the landlord submitted invoices, as well as a copy of the condition inspection report, on which the tenant noted, on March 15, 2012, that he was unable to afford payment at this time and would be submitting a counter-proposal to the landlord.

Analysis

Upon consideration of the undisputed evidence, I find that the landlord is entitled to his monetary 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 \$3411.67. I order that the landlord retain the security deposit and key deposits of \$1135 in partial satisfaction of the claim and I grant the landlord an order under section 67 for the balance due of \$2276.67. 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: June 12, 2012.

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Residential Tenancy Branch