



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MNSD, FF

### 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 the respondent was served with notice of the hearing by registered mail that was mailed on April 13, 2012, however the respondent did not join the conference call that was set up for the hearing.

All testimony was taken under affirmation.

### Issue(s) to be Decided

This is a request to keep the full security deposit \$450.00, plus interest, and a request for recovery of the \$50.00 filing fee.

### Background and Evidence

The applicant testified that:

- The tenant gave notice to vacate the rental unit on March 31, 2012, however he did not move out of the unit until April 5, 2012.
- When the tenant vacated he left the rental unit in an extremely dirty and damaged condition (see photos). No cleaning had been done, carpets were ruined due to dog urine and feces, five windows had been broken, the walls were extremely damaged and will need to be repaired and painted, and the tenant left three truckloads of furniture and boxes behind that the landlord had to dispose of.
- The cost of cleaning and repairs of this rental unit far exceeds the security deposit plus interest held and in fact the total cost is likely to exceed \$6,000.00.

He is therefore requesting an order to keep the full security deposit plus interest in partial satisfaction of this claim.

### Analysis

I have reviewed the photo evidence supplied by the landlord, and it is my finding that the landlord has shown that this rental unit was left in need of significant cleaning and repairs and I find it most likely that the cost will greatly exceed the amount of security deposit plus interest held.

I therefore allow the applicants request to retain the full security deposit plus interest and I allow the request for recovery of the filing fee.

### Conclusion

I hereby order that the landlord may retain the full security deposit of \$450.00, plus interest of \$15.94 for a total of \$464.94.

I have also issued a monetary order for recovery of the \$50.00 filing fee.

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 06, 2012.

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Residential Tenancy Branch