



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

**Dispute Codes:** MNR, MNSD, FF

### **Introduction**

This hearing dealt with an application by the landlord pursuant to the *Residential Tenancy Act* for orders as follows:

1. A monetary order pursuant to Section 67;
2. An Order to retain the security and/or pet deposit pursuant to Section 38; and
3. An Order to recover the filing fee pursuant to Section 72.

I accept that the tenants were properly served with the Application for Dispute Resolution hearing package by way of registered mail.

The tenant did not appear. The landlord was given full opportunity to be heard, to present evidence and to make submissions.

Both parties were given a full opportunity to be heard, to present evidence and to make submissions. Neither party requested an adjournment or a Summons to Testify.

On the basis of the solemnly sworn evidence presented at the hearing a decision has been reached.

### **Issue(s) to be Decided**

Whether the landlord has cause to end this tenancy and receive an Order of Possession and whether the landlord is entitled to monetary order for unpaid rent and recovery of the filing fee.

## **Background and Findings**

### **Monetary Order**

The landlord testified that the tenants did not pay rent for April and were served with a 10 day Notice to End Tenancy. The tenants vacated in accordance with that notice without having paid April's rent. Further, the tenants did not clean the carpets or the suite, there were charges for window cover cleaning and for touch up painting. The landlord claims as follows:

April rent	1,080.00
Carpet Cleaning	100.00
Suite cleaning	100.00
Window covering cleaning	20.00
Touch up painting	150.00
Total	1,450.00

Based on the undisputed evidence of the landlord I find that the landlord is entitled to the monetary order she has claimed.

### ***Security Deposit***

I find further that the landlord is entitled to retain the security deposit and interest to the date of this decision in partial satisfaction of the rental arrears.

### ***Filing Fees***

I find that the landlord is entitled to recover the filing fees paid for this application.

### ***Calculation of total Monetary Award***

Monetary award detailed above	\$1,450.00
Filing Fees for the cost of this application	50.00
Less Security Deposit (no interest accrued)	-540.00
Total Monetary Award	\$960.00

## **Conclusion**

The landlord is provided with a formal copy of an order of possession. This is a final and binding Order enforceable as any Order of the Supreme Court of British Columbia.

The landlord is provided with a formal copy of an order for the total monetary award as set out above. This is a final and binding Order enforceable as any Order of the Provincial Court of British Columbia.

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 26, 2012.

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Residential Tenancy Branch