



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes FF, MND, MNR, MNSD, O

Introduction

A substantial amount of documentary 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(s) testified that the respondent was served with notice of the hearing by registered mail that was mailed on May 17, 2012, however the respondent(s) 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 an application for a monetary order for \$6,113.83. The applicant is also requesting recovery of the \$100.00 filing fee.

Background and Evidence

The applicant testified that:

- This tenancy began on September 1, 2011 with a monthly rent set at \$2850.00.
- The tenant paid a security deposit of \$1425.00 on August 24, 2011.
- The tenant failed to pay the full rent for the month of February 2012, and there is still \$800.00 outstanding.
- The tenant failed to pay any rent for the month of March 2012, and has since vacated the rental unit.
- The tenant also brought a bedbug infested mattress into the rental unit and caused an extensive infestation which was very expensive to eradicate. It required both a chemical treatment, and an extensive heat treatment, and the requirement to cover the mattresses in the rental unit with bedbug resistant mattress covers.

- He had a previous dispute resolution hearing however some documents were missing and therefore his application was dismissed with leave to reapply.
- He has also paid for the cost of forwarding mail to the tenant as the tenant did not put a change of address in at the post office.

The applicant is therefore requesting an order as follows:

Rent outstanding for February 2012	\$800.00
Rent outstanding for March 2012	\$2850.00
Bedbug chemical treatment	\$554.40
Bedbug heat treatment	\$1232.00
Bedbug resistant mattress covers	\$577.87
Cost of previous hearing	\$74.40
Cost of forwarding mail	\$13.57
Cost of mailing dispute resolution papers	\$11.59
Filing fee for this hearing	\$100.00
Total	\$6213.83

The applicant requests an order to keep the full security deposit towards this claim and requests a monetary order be issued for the difference.

Analysis

It is my finding that the applicant has shown that there is rent outstanding in the amount of \$800.00 for the month of February 2012 and \$2850.00 for the month of March 2012 and therefore I allow that portion of the claim.

It is also my finding that the respondent introduced a bedbug infestation into the rental unit and therefore I also allow the landlords claim for costs related to eradicating the infestation.

I deny the landlords claim for costs of a previous dispute resolution hearing, as that hearing was dismissed because the landlord had failed to provide the required documentation. This is not a cost that can be passed on to the tenant.

I also deny the landlords cost of forwarding mail to the tenant, because there is no evidence to show that the tenant requested that he do so.

I also deny the landlords claim for postage costs for serving the documents for today's hearing as this is a cost of the dispute resolution process and I have no authority to award costs other than the filing fee.

I will allow the landlords request however for recovery of the \$100.00 filing fee.

Therefore the total amount of the claim that I have allowed is as follows:

Rent outstanding for February 2012	\$800.00
Rent outstanding for March 2012	\$2850.00
Bedbug chemical treatment	\$554.40
Bedbug heat treatment	\$1232.00
Bedbug resistant mattress covers	\$577.87
Filing fee	\$100.00

Total	\$6114.27

Conclusion

I have allowed \$6,114.27 of the landlords claim and I therefore order that the landlord may retain the full security deposit of \$1425.00, and have issued a monetary order in the amount of \$4689.27.

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: July 19, 2012.

Residential Tenancy Branch