



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MND, MNS, FF

### Introduction

Some 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(s) were served with notice of the hearing by registered mail that was mailed on September 13, 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 a request for a monetary order for \$687.39, a request for recovery of the \$50.00 filing fee, and a request to retain the full security deposit towards the claim.

### Background and Evidence

The applicant's testified that:

- The patio carpet at the rental unit was new when the tenants moved in.
- When the tenants moved out the patio carpet was stained and had numerous cigarette burns.

- As a result the carpet will have to be replaced.
- When the tenants moved out they remove nails from the walls and then did a very rough patch job over all the nail holes and as a result all the patches had to be sanded, some refilled, primed, and painted, at a cost of \$350.00.

The applicants are therefore requesting a monetary order as follows:

Cost of replacing patio carpet	\$225.39
Cost of installation the patio carpet	\$112.00
Cost of repairing and painting walls	\$350.00
Filing fee	\$50.00
Total	\$737.39

### Analysis

It's my finding that the landlords have shown that the tenants damage the carpet on the patio to the extent that it needs to be replaced; I therefore allow a portion of the cost of replacing that carpet.

Carpets have an expected life span of 10 years, and therefore since this carpet was one year old it is considered to be 10% depreciated. I will therefore allow 90% of the replacement cost and installation cost of the carpet.

Total amount allowed for carpet - \$303.65

It is also my finding that the tenants left numerous rough patches on the walls of the rental unit that resulted in the need for sanding, and repainting, and therefore I allow the landlords cost of repairing and touch-up painting those walls.

Total amount allowed for wall repair and repainting - \$350.00

I also allow the request for recovery of the \$50.00 filing fee.

Conclusion

I have allowed \$703.65 of the applicants claim, and I therefore order that the applicants may retain the full security deposit of \$450.00, and I have issued a monetary order in the amount of \$253.65.

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: November 29, 2012.

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Residential Tenancy Branch

