



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: *MNSD*

Introduction

This hearing dealt with an application by the Landlord pursuant to the *Residential Tenancy Act* to retain the security deposit.

The landlord testified that he served the tenant with the notice of hearing by registered mail to the forwarding address provided by the tenant. The landlord provided a tracking number. Despite having been served the notice of hearing, the tenant did not attend the hearing. The landlord attended the hearing and was given full opportunity to present evidence and make submissions.

Issues to be decided

Is the landlord entitled to retain the security deposit?

Background and Evidence

The landlord testified that the tenancy started on March 01, 2012 and ended on August 30, 2012. Prior to moving in, the tenant paid a security deposit of \$1,150.00. The rental unit was furnished.

The landlord stated that the tenant caused damage to baseboards and one wall that needed repair. The tenant also caused damage to some sheets that needed to be replaced. The carpet was stained and a portion had to be replaced. The landlord filed photographs of the damage. The landlord testified that the total cost of repairs worked out to \$2,691.99 but he was requesting to retain the security deposit of \$1,150.00 in full satisfaction of all claims against the tenant.

Analysis

Based on the undisputed testimony of the landlord and the photographs filed into evidence, I find that the landlord incurred costs to restore the rental unit to a condition in which it could be re rented. I allow the landlord to retain the security deposit towards the cost that he has incurred.

Conclusion

I grant the landlord leave to retain the security deposit.

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: December 06, 2012.

Residential Tenancy Branch