



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

MND, MNDC, FF

Introduction

This hearing dealt with an application by the Landlord pursuant to the *Residential Tenancy Act* for a monetary order for the cost of repairs and for the recovery of the filing fee.

The landlord testified that he served the tenant with the notice of hearing by registered mail to the address provided by the tenant. The landlord filed a tracking slip. 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 a monetary order for repairs and the filing fee?

Background and Evidence

The landlord testified that the tenancy started on July 02, 2011 for a fixed term of one year. The tenant moved out on April 15, 2012. The monthly rent was \$1,600.00.

The move out inspection was carried out in the presence of the tenant on April 15, 2012 and the tenant signed in agreement. In a letter dated April 20, 2012, the tenant provided the landlord with a forwarding address and acknowledged that the stove top was damaged during the tenancy. The tenant agreed in writing to cover the cost of repairs.

The landlord filed an estimate and an invoice for the replacement of the stove top in the amount of \$800.00. The stove was approximately four years old at the end of the tenancy. The stove top had been replaced just prior to the start of this tenancy.

Analysis

Based on the undisputed testimony of the landlord and the documentary evidence filed by the landlord, I find that the landlord has established a claim for \$800.00 for the replacement of the stove top. Since the landlord has proven his case, he is also entitled to the recovery of the filing fee of \$50.00.

Overall the landlord has established a claim of \$850.00. I grant the landlord an order under section 67 of the *Residential Tenancy Act* for this amount. This order may be filed in the Small Claims Court and enforced as an order of that Court.

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Conclusion

I grant the landlord a monetary order of **\$850.00**.

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 07, 2012.

Residential Tenancy Branch

