



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Hollyburn Estates Ltd.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes MND, MNDC, MNR, MNSD, FF

Introduction

This is an application filed by the Landlord for a monetary order for damage to the unit, site or property, for money owed or compensation for damage or loss, for unpaid rent or utilities, to keep all or part of the security deposit and recovery of the filing fee.

The Landlord attended the hearing by conference call and gave undisputed testimony. The Tenant did not attend or submit any documentary evidence. The Landlord states that the Tenants were served with the notice of hearing package and evidence by Canada Post Registered Mail on November 21, 2012. The Landlord has submitted copies of the Customer Tracking Number Receipts as confirmation. I accept the undisputed testimony of the Landlord and find that the Tenants were properly served with the notice of hearing and evidence packages.

Issue(s) to be Decided

Is the Landlord entitled to a monetary order?

Is the Landlord entitled to retain the security deposit?

Background, Evidence and Analysis

This Tenancy began on November 1, 2011 on a fixed term tenancy for 12 months. The Tenancy ended prematurely on August 31, 2012 when the Tenants vacated the rental unit. The unit was re-rented on September 23, 2013. The monthly rent was \$1,260.00 payable on the 1st of each month and a security deposit of \$630.00 was paid on October 28, 2011.

The Landlord seeks a monetary claim of \$1,223.30. This consists of \$924.68 (22 days @ \$42.00 per day), \$112.00 for carpet cleaning, \$113.12 drapery cleaning, \$45.00 for cleaning the refrigerator, \$28.50 for general cleaning.

The Landlord relies on an incomplete condition inspection report for the move-in and a completed condition inspection report for the move-out of the previous Tenants. The Landlord has provided copies of 3 notices of attempts to schedule a condition inspection report for the move-out and an incomplete move-out report from the Landlord which was made on September 7, 2013. The Landlord has also provided photographs and invoice/receipts for the work performed.

I accept the undisputed evidence of the Landlord and I find that I am satisfied that the Landlord has established a monetary claim for \$1,223.30. The Landlord is also entitled to recovery of the \$50.00 filing fee. I order that the Landlord retain the \$630.00 security deposit in partial satisfaction of the claim and I grant a monetary order under section 67 of the Act for the balance due of \$643.30. This order may be filed in the Small Claims Division of the Provincial Court and enforced as an order of that Court.

Conclusion

The Landlord is granted a monetary order for \$643.30.
The Landlord may 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: February 26, 2013

Residential Tenancy Branch

