



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MND, MNR, MNDC, MNSD

Introduction

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

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 Tenant was personally served with the notice of hearing package on January 16, 2013 at the rental unit. The Landlord has provided a proof of service statement witnessing the service by the co-Landlord. I accept the undisputed testimony of the Landlord and find that the Tenant has been properly served with the notice of hearing package in person on January 16, 2013.

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 May 1, 2011 on a month to month basis as shown by the submitted copy of the signed tenancy agreement. The monthly rent was \$1,200.00 payable on the 1st of each month and a security deposit of \$600.00 was paid on April 5, 2011. The Landlord states that the Tenant vacated and possession was regained on January 17, 2013.

The Landlord seeks a monetary order for \$2,275.00. This consists of utilities for \$330.36, carpet cleaning costs of \$170.10, cleaning costs of \$200.00 (\$25hr@28

hours), painting \$150.00, a broken bathroom window for \$150.00, \$75.00 for NSF charges (@\$25.00 each) and lost rental income for February 2013 of \$1,200.00.

The Landlord has provided photographs, invoices, receipts, labour hours, tenancy agreement and condition inspection reports in support of this application.

I accept the undisputed testimony of the Landlord and find that the Landlord has provided sufficient evidence to satisfy me of the monetary claim. The Landlord has established a monetary claim for \$2,366.62, however the Landlord's monetary claim is limited to the amount applied for of \$2,275.00. I order that the Landlord retain the \$600.00 security deposit in partial satisfaction of the claim and I grant the Landlord monetary order for the balance due of \$1,675.00. This order must be served on the Tenant. The monetary order may be filed in the Small Claims Division of the Provincial Court and enforced as an order of that Court.

Conclusion

The Landlords are granted a monetary order for \$1,675.00.

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: March 07, 2013

Residential Tenancy Branch

