



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MND FF

Introduction

This hearing dealt with an application by the landlord for monetary compensation for damage to the rental unit.

Despite having been served with the application for dispute resolution and notice of hearing by registered mail on February 8, 2013, the tenants did not participate in the conference call hearing.

Issue(s) to be Decided

Is the landlord entitled to monetary compensation as claimed?

Background and Evidence

The tenancy began in October 2011 and ended on October 31, 2012. The rental unit is a condo in a strata building. The landlord provided documentary, photographic and testimonial evidence to show that during their tenancy the tenants caused significant damage to the rental unit, as well as incurring strata fines. At the time of the hearing the landlord had paid \$1137.25 of the repair and cleaning costs and strata fines. In total, the landlord claimed \$4600.

Analysis

Based on the landlord's undisputed evidence, I find that she is entitled to \$1137.25 for the costs she has already incurred. I find that her application for the remainder of her expenses is premature, as she has not yet suffered those losses and cannot establish the exact amounts until the work has been done.

As the landlord's application for the expenses she has already incurred was successful, I find she is entitled to recovery of the \$50 filing fee for the cost of her application.

Conclusion

I grant the landlord an order under section 67 for the balance due of \$1187.25. This order may be filed in the Small Claims Court and enforced as an order of that Court.

The remainder of the landlord's application is dismissed with leave to reapply.

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 5, 2013

Residential Tenancy Branch

