



# Residential Tenancy Branch

RTB-136

A matter regarding Bristol Estates  
and [tenant name suppressed to protect privacy]

## DECISION

Dispute Codes      MND, MNSD and FF

### Introduction

This hearing was convened on an application by the landlord on January 14, 2012, 2012 seeking a monetary award for refuse removal and cleaning costs incurred at the end of the tenancy, recovery of the filing fee for this proceeding and authorization to retain the security and pet damage deposits in set off.

Despite having been served with the Notice of Hearing in person on January 15, 2013, the tenants did not call in to the number provided to enable their participation in the telephone conference call proceeding. Therefore, it proceeded in their absence.

### Issue(s) to be Decided

Is the landlord entitled to a Monetary Order for the claims submitted?

### Background, Evidence and Analysis

This tenancy ran from July 1, 2011 to November 30, 2012. Rent was \$925 per month and the landlord held a security and pet damage deposits of \$462.50 each paid on June 19, 2011. As a matter of note, when the tenants vacated the subject rental unit, they moved in with another tenant in the rental complex. That tenancy has since ended and the landlord was not provided with a forwarding address.

During the hearing, the landlord gave evidence that the tenants did not participate in completing the move-out condition inspection report despite having been given three-day notice of it.

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The landlord submitted into evidence a note from the tenants dated December 6, 2012 acknowledging the large number of items they had left behind in the rental unit. The note authorized the landlord to retain the security deposit in compensation, but asked for credit for the pet damage deposit.

As verified by the move-out condition inspection report and an itemized list of refuse removal and cleaning costs, and in the absence of any evidence to the contrary, I find as follows on the landlord's claims:

**Disposal of furnishing & large items: - \$420.** This claim is based on the disposal of 12 large items, ranging from a sectional three-piece to sofa to bicycles and a barbeque, at \$35 per item. This claim is allowed in full.

**Disposal of garbage - \$70.00..** This claim is made for the removal of garbage from the suite, outside the front door and the back yard. It is allowed.

**Removal of pet hair from suite - \$140.** The landlord stated that the tenants had both a cat and a dog, and the suite appeared not to have been vacuumed for the five months of the tenancy. The claim is allowed.

**Cleaning of kitchen - \$157.50.** This claim covers cleaning all appliances and fixtures, cupboards, surfaces and floors. It is allowed.

**Cleaning of bathroom - \$70.00.** This claim for cleaning fixtures and surfaces is allowed.

**Clean & hang drapes - \$65.** The landlord noted that the drapes had snags, apparently from the pet cat, and needed cleaning. The claim is allowed.

**Carpet cleaning - \$75.** The claim is allowed.

**Flea treatment - \$135.** As the tenancy included pets, the claim is allowed.

**Filing fee – \$50.** As the application has succeeded on its merits, I find that the landlord is entitled to recover the filing fee for this proceeding from the tenants.

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**Security and pet damage deposits – (\$925).** As authorized under section 72 of the *Act*, and taking into account the tenants' failure to participate in completion of the move-out condition inspection report and their voluntary relinquishing of the security deposit, I authorize the landlord to retain both deposits in set off against the balance owed.

Thus, I find that the landlord is entitled to a Monetary Order calculated as follows:


|  |                  |
|--|------------------|
| Disposal of furnishing & large items           | \$ 420.00        |
| Disposal of garbage                            | 70.00            |
| Removal of pet hair from suite                 | 140.00           |
| Cleaning of kitchen                            | 157.50           |
| Cleaning of bathroom                           | 70.00            |
| Clean & hang drapes                            | 65.00            |
| Carpet cleaning                                | 75.00            |
| Flea treatment                                 | 135.00           |
| Filing fee                                     | 50.00            |
| Sub total                                      | \$1,182.50       |
| Less retained security and pet damage deposits | - 925.00         |
| <b>TOTAL</b>                                   | <b>\$ 257.50</b> |

### Conclusion

In addition to authorization to retain the security and pet damage deposits, the landlord's copy of this decision is accompanied by a Monetary Order for \$257.50, enforceable through the Provincial Court of British Columbia, for service on the tenants.

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: April 05, 2013

  
B. Wilkinson, Arbitrator  
Residential Tenancy Branch

# Now that you have your decision...

All decisions are binding and both landlord and tenant are required to comply.

The RTB website ([www.rto.gov.bc.ca](http://www.rto.gov.bc.ca)) has information about:

- How and when to enforce an order of possession:  
Fact Sheet RTB-103: *Landlord: Enforcing an Order of Possession*
- How and when to enforce a monetary order:  
Fact Sheet RTB-108: *Enforcing a Monetary Order*
- How and when to have a decision or order corrected:  
Fact Sheet RTB-111: *Correction of a Decision or Order*
- How and when to have a decision or order clarified:  
Fact Sheet RTB-141: *Clarification of a Decision or Order*
- How and when to apply for the review of a decision:  
Fact Sheet RTB-100: *Review Consideration of a Decision or Order*  
**(Please Note: Legislated deadlines apply)**

To personally speak with Residential Tenancy Branch (RTB) staff or listen to our 24 Hour Recorded Information Line, please call:

- Toll-free: 1-800-665-8779
- Lower Mainland: 604-660-1020
- Victoria: 250-387-1602

Contact any Service BC Centre or visit the RTB office nearest you. For current information on locations and office hours, visit the RTB web site at [www.rto.gov.bc.ca](http://www.rto.gov.bc.ca)

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