



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MNDC, MNSD, FF

### Introduction

This is an application filed by the Landlord for a monetary order for money owed or compensation for damage or loss, 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 Tenant was served with the notice of hearing package and documentary evidence by Canada Post Registered Mail on February 5, 2013 and has submitted a copy of the Customer Receipt as confirmation. I am satisfied based upon the undisputed testimony and the documentary evidence that the Tenant was properly served with the notice of hearing package and documentary evidence by Canada Post Registered Mail on February 5, 2013.

### Issue(s) to be Decided

Is the Landlord entitled to a monetary order?

Is the Landlord entitled to retain the security deposit?

### Background and Evidence

This Tenancy began on August 1, 2011 on a fixed term tenancy until July 31, 2012 and then thereafter on a month to month basis as shown by the submitted copy of the signed tenancy agreement. The monthly rent was \$1,000.00 payable on the 1<sup>st</sup> of each month and a security deposit of \$500.00 was paid.

The Landlord seeks a monetary order for \$772.80 for recovery of costs to repair the rental unit. It consists of \$210.00 (plus HST) for the removal of decals on the walls, \$355.00 (plus HST) for re-painting the walls and \$140.00 for professional carpet

cleaning costs. The Landlord has submitted copies of paid invoices, photographs, a copy of condition inspection report for the move-in and the move-out and a copy of the signed tenancy agreement stipulating the requirement for professional carpet cleaning at the end of the tenancy.

### Analysis

I accept the undisputed testimony of the Landlord and find based upon this and the documentary evidence submitted that the Landlord has established a monetary claim of \$772.80. The Landlord is also entitled to recovery of the \$50.00 filing fee. I order that the Landlord retain the \$500.00 security deposit in partial satisfaction of the claim and I grant a monetary order for \$322.80. 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 \$322.80.  
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: April 25, 2013

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Residential Tenancy Branch