



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding STR Investment Corp.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPR, MND, MNR, FF

Introduction

Some documentary evidence and written arguments have been submitted prior to the hearing. I have thoroughly reviewed all submissions.

I also gave the applicant the opportunity to testify at the hearing.

The applicant testified that the respondent was served with notice of the hearing by personal service on March 28, 2013 however the respondent did not join the conference call that was set up for the hearing.

All testimony was taken under affirmation.

Issue(s) to be Decided

This is an application for an Order of Possession based on a Notice to End Tenancy for nonpayment of rent, a request for a Monetary Order for \$4389.00, and a request for recovery of the \$50.00 filing fee.

Background and Evidence

The applicant testified that:

- This tenancy began on June 1, 2012 with a monthly rent of \$1290.00.

- The tenant failed to pay the March 2013 rent and therefore on March 6, 2013 the tenant was personally served with a 10 day Notice to End Tenancy.
- The tenant failed to comply with the 10 day Notice to End Tenancy and therefore on March 27, 2013 they applied for dispute resolution.
- The tenant subsequently vacated the rental unit approximately April 10, 2013.
- The rental unit was left in need of significant cleaning and repairs and therefore they are requesting a Monetary Order as follows:

Repaint unit	\$195.00
Reseal floor	\$160.00
Replace shower curtain	\$50.00
Replace mattress cover	\$39.00
Cleaning of suite	\$75.00
March 2013 rent	\$1290.00
April 2013 rent	\$1290.00
May 2013 rent	\$1290.00
Filing fee	\$50.00
Total	\$4439.00

Analysis

Is my decision that I will allow the claim for outstanding rent for the months of March 2013 and April 2013 for a total of \$2580.00.

I also allow the request for recovery of the \$50.00 filing fee.

I will not allow the claim for May 2013 rent, because at this point we do not know whether the unit will be re-rented for the month of May 2013.

I will not allow the claims for repainting the unit, re-ceiling the floor, replacing the shower curtain, replacing the mattress cover, or cleaning the suite, because the applicant has provided no evidence in support of these claims.

The landlord stated that he got estimates prior to applying for dispute resolution, however none of those estimates have been supplied to the hearing, and although the landlord states the work has now all been done, the landlord has supplied no copies of any actual invoices for cleaning, repairs or replacement costs.

Conclusion

As stated above I have allowed \$2630.00 of the landlords claim and I have therefore issued a Monetary Order in the amount.

The claim for \$1290.00 for May 2013 rent is premature, and therefore it is dismissed with leave to reapply.

The remainder of this claim is dismissed without 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: April 22, 2013

Residential Tenancy Branch

