



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding COLUMBIA PROPERTY MANAGEMENT LTD.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes: OPR, MNR, MNSD, FF

Introduction

This hearing dealt with an application by the landlord pursuant to the *Residential Tenancy Act* for an order of possession and for a monetary order for unpaid rent, the cost of cleaning and the filing fee. The landlord also applied to retain the security deposit in partial satisfaction of her monetary claim.

The notice of hearing was served on the tenant on May 22, 2013 by registered mail. The landlord provided a tracking number. Despite having been served the notice of hearing, the tenant did not attend the hearing. The landlord attended the hearing and was given full opportunity to present evidence and make submissions.

Issues to be decided

Is the landlord entitled to an order of possession? Is the landlord entitled to a monetary order to recover unpaid rent, cost of cleaning, the filing fee and to retain the security deposit?

Background and Evidence

The tenancy started on August 01, 2012. The monthly rent is \$650.00 due on the first of each month. Prior to moving in the tenant paid a security deposit of \$325.00.

The landlord testified that the tenant failed to pay rent for May 2013 and on May 06, 2013; the landlord served the tenant with a ten day notice to end tenancy. The tenant did not dispute the notice and continued to occupy the rental unit without paying rent. On May 23, 2013, the landlord posted a notice of inspection on the tenant's door. The landlord entered on May 27, 2013 and found that the tenant had moved out. The rental unit was left in an unclean condition and a smoke detector needed to be replaced.

The landlord is applying for a monetary order unpaid rent for May (\$650.00), late fee (\$25.00), cost of cleaning 157.50, cost of carpet cleaning (94.50) and the cost of replacing smoke detector (\$23.80) for a total of \$950.80. The landlord is also applying for \$50.00 for the filing fee. The landlord has filed receipts to support her monetary claim.

Analysis

Since the tenancy has ended and the landlord has possession of the rental unit, an order of possession is not necessary.

Based on the undisputed sworn testimony of the landlord, I accept the landlord's evidence in respect of the claim. I find that the landlord is entitled to her claim of \$950.80. Since the landlord has proven her case, she is also entitled to the recovery of the filing fee of \$50.00.

I order that the landlord retain the security of \$325.00 in partial satisfaction of the claim and I grant the landlord an order under section 67 of the *Residential Tenancy Act* for the balance due of \$675.80. This order may be filed in the Small Claims Court and enforced as an order of that Court.

Conclusion

I grant the landlord a monetary order in the amount of **\$675.80**.

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: June 20, 2013

Residential Tenancy Branch