



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Wall Financial Corporation  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      MNR, MND, MNDC, MNSD, FF

### Introduction

This was a hearing with respect to the landlord's application for a monetary order. The hearing was conducted by conference call. The landlord's representative called in and participated in the hearing. The tenant did not attend although he was served with the application and Notice of Hearing by registered mail sent on April 16, 2013.

### Issue(s) to be Decided

Is the landlord entitled to a monetary award and if so, in what amount?

### Background and Evidence

The rental unit is an apartment in North Vancouver. The tenancy began on November 1, 2012 for a one year fixed term. The monthly rent was \$1,195.00. The tenant paid a security deposit of \$597.50 on October 25, 2012.

The tenant did not pay rent for January. He gave late notice on January 3<sup>rd</sup> and moved out of the rental unit the same day. The landlord succeeded in re-renting the unit commencing February 1, 2013. The landlord has claimed for unpaid rent for January, a late fee of \$20.00, an \$80.00 charge for carpet cleaning and a \$300.00 liquidated damage amount provided for in the tenancy agreement. According to the landlord's ledger, taking into account a \$2.50 credit in favour of the tenant, this leaves a balance due to the landlord of \$1,592.50. The landlord's representative testified that the tenant acknowledged his indebtedness to the landlord in the amount claimed and agreed to a payment plan, but he has not made any of the agreed payments.

### Analysis and Conclusion

I find that the landlord is entitled to a monetary award for the amounts claimed for January rent, a late fee of \$20.00, carpet cleaning in the amount of \$80.00 and

liquidated damages of \$300.00, less a \$2.50 credit on the tenants rental account. The landlord is entitled to recover the \$50.00 filing fee for this application for a total award of \$1,642.50. I order that the landlord retain the security deposit of \$597.50 in partial satisfaction of this award and I grant the landlord an order under section 67 for the balance of \$1,045.00. This order may be registered in the Small Claims Court and enforced as an order of that court.

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: July 09, 2013

---

Residential Tenancy Branch

