



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes FF, MND, MNR, MNSD

Introduction

This is an application for a Monetary Order for \$2924.00, and a request to retain the full security deposit of \$300.00 towards the claim.

The applicant testified that the respondent(s) were served with notice of the hearing by personal service on May 9, 2013; however the respondent(s) did not join the conference call that was set up for the hearing.

It is my finding that the landlord has shown respondent(s) have been served with notice of the hearing.

All testimony was taken under affirmation.

Issue(s) to be Decided

Is the landlord entitled to a Monetary Order of \$2924.00?

Background and Evidence

The applicant testified that:

- When the tenants vacated the rental unit they still owed a total of \$1300.00 in back rent.
- The tenants also cause significant damage to the rental unit, breaking a door, burning cupboards, and breaking a cabinet door, and as a result these items had to be repaired at a total cost of \$974.00
- He also believes the tenants should pay the filing fee for this hearing, for a previous hearing, and the fees for mailing documents for this hearing.

The applicant is therefore requesting a Monetary Order as follows:

| | |
|----------------------------|-----------|
| Rent outstanding | \$1300.00 |
| Cost to repair damages | \$974.00 |
| Filing fees and mail costs | \$110.00 |
| Total | \$2384.00 |

The applicant is also requesting an Order to keep the full security deposit of \$300.00 towards the claim and requests that a Monetary Order be issued for the difference.

Analysis

I accept the landlords claim that \$1300.00 in rent was outstanding at the end of the tenancy and therefore I allow that portion of the landlords claim.

The landlord however has failed to supply any supporting evidence of the alleged damages to the rental unit, or any invoices or independent estimates for any repairs. I am therefore not willing to allow the claim for the cost of damages.

I will however Order recovery of the filing fee for today's hearing; however I deny the request for filing fees for any previous hearing.

I will not allow the claim for the cost of mailing documents as that is a cost of the dispute resolution process and I have no authority to award costs.

Conclusion

I have allowed \$1350.00 of the applicants claim and I therefore Order that the landlord may retain the full security deposit of \$300.00, and I've issued a Monetary Order in the amount of \$1050.00.

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: August 01, 2013

Residential Tenancy Branch

