



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding CAPITAL REGION HOUSING CORPORATION
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes: MNDC, MNSD, MND, FF

Introduction

This hearing dealt with an application by the Landlord pursuant to the *Residential Tenancy Act* for a monetary order for the cost of cleaning, removal of tenant's belongings and for the recovery of the filing fee. The landlord also applied to retain the security deposit in partial satisfaction of her claim.

The landlord sent a copy of her application and the notice of hearing to the tenant by registered mail on May 10, 2013, to the forwarding address provided by the tenant and filed 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 a monetary order for the cost of cleaning, removal of tenant's belongings and for the recovery of the filing fee? Is the landlord entitled to retain the security deposit?

Background and Evidence

The tenancy started on April 01, 2012 for a fixed term of one year. The monthly rent was \$580.00 due on the first of each month. Prior to moving in the tenant paid a security deposit of \$290.00.

On or about March 22, 2013, the tenant moved out. She provided her forwarding address to the landlord during a phone conversation that the landlord initiated on April 26, 2013. The tenant asked the landlord to dispose of the belongings left behind. The landlord filed photographs of the unit and the photographs indicate that the unit was not cleaned. There are items strewn throughout the unit and furniture left by the tenant.

The landlord is claiming the cost of cleaning (\$275.00), the cost of cleaning the carpet (\$168.00), to replace keys (\$12.00), the cost of hauling away the tenant's belongings (\$560.00) and the filing fee (\$50.00) for a total of \$1,065.00.

The landlord filed photographs and invoices to support her monetary claim.

Analysis

Based on the undisputed testimony and documentary evidence of the landlord, I find that the landlord is entitled to her claim for cleaning, key replacement and hauling away the tenant's belongings. Since the landlord has proven her case, she is also entitled to the filing fee of \$50.00.

Overall the landlord has established a claim of \$1,065.00. I order that the landlord retain the security deposit of \$290.00 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 \$775.00. 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 of **\$775.00**.

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

