



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MND, MNR, MNSD, FF

Introduction

This is an application filed by the Landlord for a monetary order for damage to the unit, site or property, for unpaid rent or utilities, to keep all or part of the security deposit and recovery of the filing fee.

The Landlord attended the hearing by conference call and gave undisputed testimony. The Tenant did not attend or submit any documentary evidence. The Landlord states that the Tenant was personally served with the notice of hearing package on May 10, 2013. I accept the undisputed testimony of the Landlord and find that the Tenants have been properly served with the notice of hearing package and the submitted documentary evidence.

Issue(s) to be Decided

Is the Landlord entitled to a monetary order?

Is the Landlord entitled to retain the security deposit?

Background and Evidence

The Landlord seeks a monetary claim for \$3,876.00. This consists of claims for unpaid rent, loss of rental income, damaged floors, cleaning and the replacement of keys, fobs and a visitor pass not returned. The Landlord states that the Tenant failed to pay May 2013 rent of \$1,225.00 and notified the Landlord that they were vacating the rental unit on May 31, 2013. The Landlord states that the Tenant left damage to the laminate floor which cost \$1,239.00 to repair based upon the estimate/invoice from Kostar Construction Ltd. dated May 3, 2013. The Landlord states that the Tenants also left the rental unit uninhabitable by leaving garbage, stickers on the walls, a dirty kitchen and bathroom requiring cleaning as shown by the submitted invoice from Lee's Cleaning Service dated June 8, 2013. The Landlord relies on a copy of the signed tenancy

agreement, an estimate/invoice from Kostar Construction Ltd., an invoice from Lee's Cleaning Service as well as a condition inspection report for the move-in.

Analysis

I accept the undisputed testimony of the Landlord and find that a monetary claim of \$3,876.00 has been established for unpaid rent, loss of rental income, cleaning charges, key, fob and visitor pass replacements and the repair of the laminate floor and walls.

The Landlord is also entitled to recovery of the \$50.00 filing fee. I order that the Landlord retain the \$625.00 security deposit in partial satisfaction of the claim and I grant a monetary order under section 67 for the balance due of \$3,301.00. This order may be filed in the Small Claims Division of the Provincial Court and enforced as an order of that Court.

Conclusion

The Landlord is granted a monetary order for \$3,301.00.
The Landlord may retain the security deposit.

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

