



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding BC HOUSING MANAGEMENT COMMISSION
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes: MNR, MND, FF

Introduction

This hearing dealt with an application by the Landlord pursuant to the *Residential Tenancy Act* for a monetary order for unpaid rent, cost of cleaning and repair and for the recovery of the filing fee.

The landlord testified that on June 10, 2013 she served the tenant with the notice of hearing and evidence package by registered mail to the address provided by the tenant, in writing. The landlord filed a tracking slip confirming that the tenant had picked up the package. 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 unpaid rent, cost of cleaning and repair and for the recovery of the filing fee?

Background and Evidence

The landlord testified that the tenancy started on September 07, 2010 and ended on November 02, 2012. The accommodation is subsidised housing and is rented based on a tenant's income and family size. The tenant's portion of the rent was \$195.00.

On November 02, 2012, the tenant moved out without paying rent for November or informing the landlord. The landlord conducted a move out inspection and found that the unit was in need of repairs and cleaning. The landlord filed photographs that show that the tenant left a lot of garbage and unwanted items in the unit and did not clean the unit. In addition there was damage to the dry wall in two bedrooms. The landlord has also filed receipts for the cost incurred to repair, clean and dispose of the items left behind by the tenant.

The landlord is claiming the following:

1.	Rent for November	\$195.00
2.	Extra cleaning	\$268.80
3.	Labour to repair closet/replace blind	\$112.00
4.	Repair and paint drywall	\$1,158.57
5.	Remove garbage/debris	\$224.00
6.	Dispose of garbage/debris	\$150.08
7.	Filing fee	\$50.00
	Total	\$2,158.45

Analysis

Based on the undisputed testimony and documentary evidence of the landlord, I find that the tenant moved out without paying rent for November, did not clean the unit, damaged the walls and left behind several unwanted items. The landlord filed photographs and invoices to support her monetary claim. Therefore I find that the landlord is entitled to her claim. Since the landlord has proven her claim, I award her the filing fee of \$50.00.

Overall the landlord has established a claim for \$2,158.45. I grant the landlord an order under section 67 of the *Residential Tenancy Act* for this amount. 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 **\$2,158.45**.

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: September 13, 2013

Residential Tenancy Branch

