



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Homelife Peninsula Property Management
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes FF, MND, MNDC, MNSD, O

Introduction

This hearing dealt with an application by the landlord for a monetary order and an order to retain the security deposit in partial satisfaction of the claim. Both parties participated in the conference call hearing. Both parties gave affirmed evidence.

Issue to be Decided

Is the landlord entitled to a monetary order as claimed?

Background, Evidence and Analysis

The tenancy began on February 1, 2013 and ended on May 31, 2013. The tenants were obligated to pay \$1750.00 per month in rent in advance and at the outset of the tenancy the tenants paid an \$875.00 security deposit. A move in and move out condition inspection report was conducted.

The landlord is the sole applicant in this matter and I address the landlord's claims and my findings around each as follows.

First Claim – The landlord is seeking \$550.00 for general suite cleaning. The tenant does not dispute this portion of the landlords claim and I therefore award the landlord \$550.00.

Second Claim – The landlord is seeking \$469.35 for garbage removal and repairs to the light covers, closet door, walls in dining room and garage, and gate leading to yard. The tenant disputes this portion of the landlords claim. The tenant stated that she removed all the garbage and any damage was not her fault but that of the repairmen the landlord uses. The landlord submitted that two attempts were made to have the tenant present for the move out condition inspection. The landlord noted the scheduled times on the condition report. The tenant stated that “the guy said come back later”. Based on

the documentation provided by the landlord, the testimony of the parties and on the balance of probabilities I am satisfied that the landlord has provided sufficient evidence to support this portion of their claim. I find that the landlord is entitled to \$469.35.

As the landlord has been successful in their application they are entitled to the recovery of the \$50.00 filing fee.

The landlord has established a claim for \$1069.35. I order that the landlord retain the \$875.00 deposit in partial satisfaction of the claim and I grant the landlord an order under section 67 for the balance due of \$194.35. This order may be filed in the Small Claims Court and enforced as an order of that Court.

Conclusion

The landlord is granted a monetary order for \$194.35.

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 19, 2013

Residential Tenancy Branch

