



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNR, MNSD, FF

Introduction

There are applications filed by both parties. The Landlord has filed an application for a monetary order for unpaid rent, compensation for cleaning, to keep all or part of the security deposit and recovery of the filing fee. The Tenant has applied for a monetary order for the return of the security deposit.

The Landlord attended the hearing by conference call and gave undisputed testimony. The Tenant did not attend. The Landlord states that he served the Tenant with the notice of hearing package by Canada Post Registered Mail on July 27, 2013 and has provided a copy of the Customer Receipt Tracking number as confirmation. The Landlord also states that he has received the Tenant's notice of hearing package and the submitted documentary evidence for the Tenant's Application for dispute.

At 10 minutes past the start of the hearing time, the Tenant's Application was dismissed without leave to reapply as the Landlord has attended in response.

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

This Tenancy began on October 1, 2000 on a month to month basis as shown by the submitted copy of the signed tenancy agreement. The monthly rent was \$600.00 and a \$200.00 security deposit was paid on October 1, 2000.

The Landlord seeks a monetary claim of \$1,300.00. This consist of \$1,300.00 in unpaid rent for June (\$650.00) and July (\$650.00) and \$100.00 for suite cleaning. The Landlord has provided a copy of the condition inspection report for the move-in and the move-out. The Landlord refers to the move-out report which states that the Tenant's Agent signed the agreement on July 4, 2013 which states that unit required cleaning and agrees to an approximate cleaning deduction of \$100.00 and rent arrears totalling, \$1,300.00.

Analysis

I accept the undisputed evidence of the Landlord and find that a monetary claim of \$1,300.00 has been established. The Landlord has provided a signed copy of the condition inspection report for the move-out which is confirmed by a copy submitted by the Tenant which states that the Tenant agreed that there were cleaning issues and rent arrears. The Landlord is also entitled to recovery of the \$50.00 filing fee. I order that the Landlord retain the \$200.00 security deposit and the \$14.38 in accrued interest to date in partial satisfaction of the claim. I grant the Landlord a monetary order for the balance due of \$1,135.62. This order may be filed in the Small Claims Division of the Provincial Court and enforced as an order of that Court.

Conclusion

The Tenant's Application is dismissed without leave to reapply.
The Landlord is granted a monetary order for \$1,135.62.
The Landlord may retain the \$200.00 security deposit and the accrued interest of \$14.38.

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: October 11, 2013

Residential Tenancy Branch

