



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 is the Landlord's application for a Monetary Order for unpaid rent and damages to the rental unit; and to recover the cost of the filing fee from the Tenant.

The Landlord's agent SK gave affirmed testimony at the Hearing.

SK testified that on June 20, 2013, she mailed the Notice of Hearing documents and copies of the Landlord's documentary evidence by registered mail to the forwarding address that the Tenant gave her on November 22, 2013. SK testified that the registered mail package was returned to the Landlord on July 10, 2013.

Based on the affirmed testimony of the Landlord's agent, I am satisfied that the Tenant was duly served with the Notice of Hearing documents by registered mail. Service in this manner is deemed to be effected 5 days after mailing the documents. Despite being served with the Notice of Hearing documents, the Tenant did not sign into the teleconference and the Hearing proceeded in her absence.

Issues to be Decided

- Is the Landlord entitled to a Monetary Order, and if so, in what amount?

Background and Evidence

SK gave the following testimony and evidence:

A copy of the tenancy agreement was provided in evidence. This tenancy began on September 12, 2011, and ended on November 30, 2012. The rental property is subsidized housing. Monthly rent was \$289.00 per month, due on the first day of each month. No security deposit was paid.

The Tenant did not pay rent for September, October or November, 2012. The Tenant did not clean the rental unit at the end of the tenancy and did not attend the condition inspection at the end of the tenancy, although a number of arrangements had been made to complete a Condition Inspection Report. SK completed the Report in the Tenant's absence. The Tenant damaged the walls, which required repairs and painting.

The Landlord provided photographs, the Condition Inspection Report, invoices, and the Tenant's Ledger in evidence.

Analysis

Based on the documentary evidence and SK's undisputed affirmed testimony, I find that the Landlord is entitled to its claim as presented.

The Landlord has been successful in its application and is entitled to recover the cost of the \$50.00 filing fee from the Tenant.

I find that the Landlord has established a monetary award as follows:

Cleaning costs (9 hours)	\$224.00
Drywall repairs and painting	\$560.00
Unpaid rent (\$289.00 x 3)	\$867.00
Recovery of the filing fee	<u>\$50.00</u>
TOTAL AMOUNT DUE TO THE LANDLORD	\$1,701.00

Conclusion

I hereby provide the Landlord with a Monetary Order in the amount of **\$1,701.00** for service upon the Tenant. This Order may be filed in the Provincial Court of British Columbia (Small Claims) and enforced as an Order of that Court.

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 07, 2013

Residential Tenancy Branch