



# 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      MND, MNSD, FF

### Introduction

This is an application for a Monetary Order for \$574.81, a request for recovery of the \$50.00 filing fee, and a request to retain the full security deposit towards the claim.

The applicant testified that the respondent(s) were served with notice of the hearing by registered mail that was mailed on August 28, 2013; however the respondent(s) did not join the conference call that was set up for the hearing.

Pursuant to section 90 of the Residential Tenancy Act, documents sent by registered mail are deemed served five days after mailing and therefore it is my finding that the respondent(s) have been properly served with notice of the hearing.

All testimony was taken under affirmation.

### Issue(s) to be Decided

Is the landlord entitled to a Monetary Order in the amount of \$574.81, and recovery of the \$50.00 filing fee?

### Background and Evidence

The applicant testified that:

- This tenancy began on August 1, 2012 with the monthly rent of \$1150.00 and a \$575.00 security deposit was collected at the beginning of the tenancy.
- The tenants vacated the rental unit on August 1, 2013, however there were two barstools missing that had been provided to the tenants during the tenancy and as a result those barstools have to be replaced. The estimate to replace the barstools is \$109.97 each, however they are only requesting \$100.00 each.
- The tenants also left the rental unit in need of significant cleaning and since the new tenants were moving in right away, the new tenants were given a \$300.00 credit to do the cleaning themselves.
- The tenants also clogged up the garburator with bottle caps and bread clips, and one light switch plate cover was damaged and as a result there were repair costs totaling \$74.81.

They are therefore requesting a Monetary Order as follows:

Replace barstools	\$200.00
Cleaning	\$300.00
Repairs	\$74.81
Filing fee	\$50.00
Total	\$624.81

They further requests an Order allowing them to keep the full security deposit of \$575.00 towards the claim and request that a Monetary Order be issued for the balance.

### Analysis

It's my finding that the landlords have established the full amount claimed.

The moveout inspection report that was signed by the tenant shows that the barstools were missing, the repairs were needed, and the cleaning was needed.

It is therefore my finding that the tenants were well aware of the issues at the end of their tenancy.

I therefore allow the full amount claimed including recovery of the filing fee.

### Conclusion

I have allowed the landlords full claim of \$624.81, and I therefore Order that the landlord may retain the full security deposit of \$575.00 and I've issued a Monetary Order in the amount of \$49.81.

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: December 04, 2013

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Residential Tenancy Branch

