



Dispute Resolution Services

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, MNDC, MNR, MNSD, O, FF

Introduction

This hearing dealt with an application by the landlord for a monetary order and an order authorizing her to retain the security deposit. Despite having been served with the application for dispute resolution and notice of hearing via registered mail sent on October 18, 2013 to the forwarding address provided by the tenants, the tenants did not participate in the conference call hearing.

Issue to be Decided

Is the landlord entitled to a monetary order as claimed?

Background and Evidence

The landlord's undisputed evidence is as follows. The tenancy began on October 1, 2012 and ended on September 29, 2013. Rent was set at \$5,000.00 per month and on September 10, 2012, the tenants paid a \$2,500.00 security deposit.

The landlord provided evidence that the tenants were responsible to pay for landscaping services during the tenancy. The landlord provided evidence showing that the tenants failed to pay \$1,826.69 for landscaping for the months of February – September inclusive.

The landlord provided evidence that the tenants were responsible to pay for water charges during the tenancy and that they failed to pay \$1,584.74 owing during the course of the tenancy.

The landlord testified that the rental unit was furnished and that the tenants moved the furniture during the tenancy. She provided evidence that she paid \$224.44 at the end of the tenancy to have the furniture returned to its proper place.

In addition to the aforementioned costs, the landlord also seeks to recover the \$50.00 filing fee paid to bring her application.

Analysis

I accept the landlord's undisputed testimony and I find that the tenants are liable for the landscaping bill, the water bill and the moving bill. I further find that the landlord is entitled to recover the filing fee. I award the landlord \$3,685.87. I order the landlord to retain the \$2,500.00 security deposit in partial satisfaction of the claim and I grant her an order under section 67 for the balance of \$1,185.87. This order may be filed in the Small Claims Division of the Provincial Court and enforced as an order of that Court.

Conclusion

The landlord is granted a monetary order for \$1,185.87 and will retain the security deposit.

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: January 17, 2014

Residential Tenancy Branch

