



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Klaassen Farms Ltd.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes FF, MND, MNR, MNSD

Introduction

This is an application for a Monetary Order for \$4180.63 and a request to retain the full security deposit of \$675.00 towards the claim. The applicant is also requesting recovery of the \$50.00 filing fee.

A substantial amount of documentary evidence and written arguments has been submitted prior to the hearing. I have thoroughly reviewed all submissions.

I also gave the applicant the opportunity to testify at the hearing.

The applicant testified that the respondent(s) were served with notice of the hearing by registered mail that was mailed on January 24, 2014; however the respondent(s) did not join the conference call that was set up for the hearing.

Documents sent by registered mail or deemed served five days after mailing and therefore it is my finding that the respondents have been properly served with notice of today's hearing. The hearing therefore proceeded without the respondents.

All testimony was taken under affirmation.

Issue(s) to be Decided

Is the applicant entitled to a Monetary Order in the amount of \$4180.63, and recovery of the \$50.00 filing fee?

Background and Evidence

The applicant testified that:

- This tenancy began on March 1, 2008 and at that time the tenants paid a security deposit of \$675.00.

- The rent for this unit was \$1450.00 per month.
- The tenants October 2014 rental cheque was NSF and the tenants subsequently failed to pay the October 2014 rent, and November 2014 rent, and vacated the rental unit on November 15, 2014.
- The tenants left the rental unit extremely dirty and with an excessive amount of garbage left behind. They had to pay \$951.57 to have the rental unit cleaned up and they had to pay \$304.60 for 3, 30 yard rental bins to remove all the garbage.

They are therefore requesting a Monetary Order as follows:

October 2013 rent outstanding	\$1450.00
November 2013 rent outstanding	\$1450.00
October 2013 NSF charge	\$25.00
Cleaning and junk removal	\$951.57
Bin rental	\$304.06
Filing fee	\$50.00
Total	\$4230.63

Analysis

It is my finding the applicants have shown that the tenants failed to pay rent in the amount of \$1450.00 for each of the months of October 2013 and November 2013, and I therefore allow that portion of the claim.

I also allow the request for the NSF charge as the October 2013 rent cheque was not honored by the bank.

It is also my finding that the landlords have shown that the tenants left an extensive amount of garbage at the rental unit and I therefore also allow the claims for cleaning, junk removal, and bin rental.

I further allow the request for recovery of the filing fee.

Conclusion

I have allowed the landlords full claim of \$4230.63 and I therefore order that the landlords may retain the full security deposit of \$675.00 plus interest of \$8.08 for a total of \$683.88, and I have issued a Monetary Order in the amount of \$3546.75.

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: May 08, 2014

Residential Tenancy Branch

