



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Nacel Properties Ltd.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes MND, MNDC, MNR, MNSD, FF

Introduction

This was a hearing with respect to the landlord's application for a monetary order and an order to retain the tenants' security deposit. The hearing was conducted by conference call. The landlord's representative called in and participated in the hearing. The tenants did not attend, although they were served with the application and Notice of Hearing sent to their forwarding address by registered mail on February 18, 2014.

Issue(s) to be Decided

Is the landlord entitled to a monetary award for the cost of cleaning and repairs?

Background and Evidence

The rental unit is an apartment in Surrey. The tenancy began on April 1, 2013. The tenants paid a security deposit of \$407.50 at the start of the tenancy. The tenants moved out of the rental unit on January 31, 2014 without giving notice and without cleaning the rental unit. The landlord's representative testified that the unit was very dirty and the carpets were unclean. The tenants smoked in the unit and it required painting, including ceiling paint. The landlord claimed \$85.00 for carpet cleaning and \$302.50 for painting, including materials. In the application the landlord claimed \$12.50 for cleaning, although at the hearing the landlord's representative said that the actual cleaning cost was \$160.00.

Analysis

I accept the landlord's evidence that the tenants left the rental unit without cleaning and in need of repainting. I allow the landlord's claim and award the landlord the sum of \$400.00 as claimed. The landlord is entitled to recover the \$50.00 filing fee for this application, for a total award of \$450.00.

Conclusion

I order that the landlord retain the security deposit of \$407.50 that it holds, in partial satisfaction of this award and I grant the landlord an order under section 67 for the balance of \$42.50. This order may be registered in the Small Claims Court 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: June 05, 2014

Residential Tenancy Branch

