



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

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 security and pet deposits. The hearing was conducted by conference call. The landlord called in and participated in the hearing. The tenant did not attend although she was served with the application and Notice of Hearing sent by registered to her forwarding address on March 14, 2014

Issue(s) to be Decided

Is the landlord entitled to a monetary award and if so, in what amount?

Background and Evidence

The rental unit is a residence in Langley. The tenancy began in 2009 and proceeded by successive fixed term agreements; the latest of these was for a one year term commencing on September 1, 2013 and ending on August 31, 2014. The monthly rent was \$1,650.00, payable on the first of each month. The tenant paid a security deposit of \$825.00 and a pet deposit of \$200.00 when the tenancy began in 2009. On February 1, 2014 the tenant gave the landlord notice by e-mail that she intended to move out at the end of February.

The landlord testified that the tenant did not fully move out by February 28th. The tenant left a large quantity of cast offs and garbage in the rental unit. The unit needed extensive cleaning and repairs. The landlord was unable to re-rent the unit for the month of March. The landlord claimed loss of revenue for March and the following amounts:

- Cleaning of the rental unit, invoice amount: \$280.00
- Carpet repairs, labour and materials invoiced: \$385.47

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|--------------------------------------|----------|
| • Repair holes in wall and re-paint: | \$200.00 |
| • Garbage removal and dump fees: | \$50.00 |

Analysis

The total claim presented by the landlord, including loss of rent for March is the sum of \$2,565.47. Based on the landlord's testimony, the photographic evidence and the invoices supplied, I find that the landlord is entitled to a monetary award in the amount of \$2,565.47. The landlord is entitled to recover the \$50.00 filing fee for a total award of \$2,615.47.

Conclusion

I order that the landlord retain the security and pet deposits totalling \$1,025.00 in partial satisfaction of the monetary award of \$2,615.47 and I grant the landlord an order under section 67 for the balance of \$1,590.47. 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 26, 2014

Residential Tenancy Branch

