



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes FF, MND, MNR

Introduction

This hearing dealt with an application by the landlord for a monetary order and an order to retain the security deposit in partial satisfaction of the claim. Despite having been served with the application for dispute resolution and notice of hearing by registered mail on July 5, 2014, the tenants did not participate in the conference call hearing. The landlord gave affirmed evidence.

Issue to be Decided

Is the landlord entitled to a monetary order as claimed?

Background, Evidence and Analysis

The landlord's undisputed testimony is as follows. The tenancy began on July 24, 2011 and ended sometime in mid July 2012. The tenants were obligated to pay \$950.00 per month in rent in advance and at the outset of the tenancy the tenants paid a \$475.00 security deposit.

I address the landlord's claims and my findings around each as follows.

First Claim – The landlord is seeking \$950.00 for unpaid rent for the month of July 2012. The landlord stated that the tenant informed him on June 18, 2012 that she would be moving out. The landlord advised the tenants that they would still be responsible for July's rent if he was unable to rent the unit due to the short notice. The tenants vacated without notice and have yet to return the keys to the landlord. The landlord provided supporting documentation for this claim. Based on the above and in the absence of any disputing evidence from the tenant I find that the landlord is entitled to \$950.00.

Second Claim – The landlord stated that the tenants damaged his 18 month old carpets. The landlord provided receipts showing that the carpet was newly installed and that he incurred a cost of \$1326.55 to replace and install them. The landlord is asking for recovery of 75 % of the cost allowing for depreciation in the amount of \$994.91. Based on the documentation provided by the landlord and in the absence of any disputing evidence from the tenants I find that the landlord is entitled to \$994.91.

The landlord is entitled to the recovery of the \$50.00 filing fee.

Conclusion

The landlord has established a claim for \$1994.91. I order that the landlord retain the \$475.00 deposit in partial satisfaction of the claim and I grant the landlord an order under section 67 for the balance due of \$1519.91. This order may be filed 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: November 12, 2014

Residential Tenancy Branch

