



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MND, MNR, FF

### Introduction

This is an application filed by the landlord for a monetary order for damage to the unit, site or property, for unpaid rent and recovery of the filing fee.

The landlord attended the hearing by conference call and gave undisputed testimony. The tenant did not attend. The landlord states that the tenant was served with the notice of hearing package by Canada Post Registered Mail on July 30, 2014 and has confirmed that the tenant received and signed in acknowledgment for the package on August 6, 2014.

### Issue(s) to be Decided

Is the landlord entitled to a monetary order?

### Background and Evidence

This tenancy began on June 6, 2011 on a month to month basis as shown by the submitted copy of the signed tenancy agreement dated June 6, 2011. The monthly rent is \$595.00 payable on the 1<sup>st</sup> of each month. No security deposit was paid.

The landlord states that the tenant gave notice to vacate the rental unit on August 27, 2013 which was received on August 7, 2013. The landlord states that the tenant over held the rental unit and vacated on September 4, 2013. The landlord seeks a monetary claim of \$595.00 for unpaid rent/loss of rental income for September 2013 as the tenant over held the rental unit and left the unit requiring cleaning as it was un-rentable.

The landlord also states that after the tenant had vacated and the rental unit was inspected it was discovered that the tenant left the unit very dirty with lots of garbage requiring \$88.55 for garbage disposal and extra cleaning for \$260.00. The landlord also

states that urine stains were found in the carpet requiring carpet cleaning of \$157.50, but that the carpet was un-cleanable requiring carpet replacement of \$773.59 (80% of carpet replacement cost). The landlord has submitted copies of the invoices/receipts for each of the amounts claimed, a copy of the complete condition inspection report for the move-in dated June 6, 2011, the incomplete condition inspection report for the move-out dated September 4, 2013 and 5 pages of photographs showing the condition of the rental unit at the end of the tenancy.

### Analysis

I accept the undisputed evidence of the landlord and find that the landlord has established a monetary claim for \$1,874.64. The landlord has provided undisputed evidence of the damage caused by the tenant, the amount being claimed is supported by the invoice/receipts and the condition inspection report for the move-in and the incomplete condition inspection report along with the photographs showing how the rental was before and after the tenant had possession of the rental unit. The landlord is also entitled to recovery of the \$50.00 filing fee. I grant a monetary order under section 67 for the balance due of \$1,924.64. 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 \$1,924.64.

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 21, 2015

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Residential Tenancy Branch

