



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPC, MND, FF

Introduction

This was an application for an Order for Possession for Cause, and a monetary Order for compensation for damage to and cleaning required for the unit. Only the landlord's agent EA attended the teleconference hearing. At the outset the EA advised that the tenant had moved out of the unit on February 1, 2015 and accordingly the landlord had abandoned the application for an Order for Possession.

Issue(s) to be Decided

Is the landlord entitled to a monetary Order?

Background and Evidence

EA testified that he handed the tenant the dispute resolution package on January 13, 2015. EA testified that a tenancy began on or about June 1, 2011 with monthly rent payable amounting to \$ 450.00. EA testified that the landlord received a security deposit amounting to \$ 225.00 at the beginning of the tenancy. EA testified that the unit was inspected before and after the tenant moved out and that the gas stove needed to be replaced as the surface was deliberately burned by the tenant, the unit needed to be cleaned as the tenant vacated without cleaning and leaving debris, and the unit required to be painted. EA estimated that based on searching advertisements and his experience the stove replacement and cleaning exceeded \$ 400.00 which is the amount claimed in this application.

Analysis

Based upon the evidence of EA I find that the tenant was served with this application on January 13, 2015. In reliance upon the uncontradicted evidence of the landlord I find that EA has proven a total claim of \$ 400.00. The landlord would be entitled to the filing fee however as the landlord only claimed a total amount of \$ 400.00 I only allow that total amount.

Conclusion:

I order that the landlord retain the deposit and interest of \$ 225.00 and I grant the landlord an order under section 67 for the balance due of **\$ 175.00**. This order may be filed in the Small Claims Court and enforced as an order of that Court. This Decision and Order must be served on the tenant as soon as possible. I have dismissed all other claims.

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: February 02, 2015

Residential Tenancy Branch

