



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR MNR MNSD MNDC FF

Introduction

This hearing dealt with an application by the landlord for an order of possession, a monetary order and an order to retain the security deposit in partial satisfaction of the claim.

At the outset of the hearing the landlord stated that the tenant had vacated the rental unit. I therefore dismissed the portion of the landlord's application regarding an order of possession.

The landlord participated in the teleconference hearing, but the tenant did not call into the hearing. The landlord stated that she personally witnessed the tenant taking the hearing package on February 27, 2015. I accepted the landlord's testimony regarding service of notice of the hearing, and I proceeded with the hearing in the absence of the tenant.

Issue(s) to be Decided

Is the landlord entitled to monetary compensation as claimed?

Background and Evidence

The tenancy began on November 1, 2014. Rent in the amount of \$500 was payable in advance on the first day of each month. At the outset of the tenancy, the landlord collected a security deposit from the tenant in the amount of \$250. The tenant failed to pay rent for January 2015. At the beginning of February 2015 the tenant paid the landlord \$450 but made no further rent payments. The tenant vacated the rental unit on or about February 27, 2015.

The landlord stated that the tenant broke a light fixture which cost \$50 to replace, and he changed some wiring in the unit which cost the landlord \$100 to have fixed. The landlord stated that the tenant broke the glass in the wood stove door, and the landlord had to pay \$150 for new glass to be installed. The landlord stated that she had to do cleanup and repairs after the tenant vacated, and she therefore could not re-rent the unit for March 2015.

Analysis

Upon consideration of the landlord's undisputed evidence, I find that she is entitled to her claim. The tenant owes \$500 in unpaid rent for January 2015, \$50 for February 2015 and \$500 in lost revenue for March 2015. The tenant is also responsible for the replacement cost of \$50 for the light fixture, \$100 for electrical repairs and \$150 for glass installation in the wood stove.

As the landlord's application was successful, she is also entitled to recovery of the \$50 filing fee for the cost of this application.

Conclusion

The landlord is entitled to \$1400. I order that the landlord retain the security deposit of \$250 in partial satisfaction of the claim and I grant the landlord an order under section 67 for the balance due of \$1150. 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: March 27, 2015

Residential Tenancy Branch

