



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD, MND, MNR, FF

Introduction

This is an application for a monetary order for \$1237.83 and a request for recovery of the \$50.00 filing fee.

A substantial amount of documentary evidence and written arguments has been submitted prior to the hearing. I have thoroughly reviewed all submissions.

I also gave the applicant the opportunity to testify at the hearing.

The applicant testified that the respondent was served with notice of the hearing by registered mail that was mailed on October 17, 2014; however the respondent did not join the conference call that was set up for the hearing.

Documents served by registered mail are deemed served five days after serving and therefore I conducted the hearing in the respondent's absence.

All testimony was taken under affirmation.

Issue(s) to be Decided

The issue is whether or not the applicant has established a monetary claim against the respondent, and if so in what amount.

Background and Evidence

The applicant has provided evidence in the form of a move out inspection report on which the tenant agreed in writing to the following.

Suite cleaning	\$157.50
Window cover cleaning (blinds)	\$135.00

Suite painting	\$800.00
Vanity door repair	\$55.00
Lightbulb replacement	\$25.00
Replace 6 blind slats	\$60.00
Over holding fee	\$75.00
Liquidated damages	\$805.33
Total	\$2112.83

The tenant also agreed in writing on the move out inspection report to allow the landlord to keep the full security deposit of \$875.00 and agreed to pay the excess amount of \$1237.83

The applicant testified that the tenant has failed to pay any of the excess amounts and therefore they are requesting a monetary order be issued for the full \$1237.83 and recovery of the \$50.00 filing fee.

Analysis

I have reviewed the evidence provided by the landlord and it is my finding that the tenant did agree to all the above charges on the move out inspection report, and agreed to allow the landlord to keep the full security deposit of \$875.00 towards the charges.

It is also my finding that the tenant agreed in writing to pay the excess amount of \$1237.83.

I therefore allow the landlords full claim for that \$1237.83 and recovery of the \$50.00 filing fee for total of \$1287.83

Conclusion

I allow the landlord's request to retain the full security deposit of \$875.00, as the tenant is already agreed to allow the landlord to keep the full deposit, and I have issued a Monetary Order in the amount of \$1287.83.

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: May 26, 2015

Residential Tenancy Branch

