



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MND, MNDC, MNSD, FF

Introduction

This is an application for a monetary order for \$1600.48, a request for recovery of the \$50.00 filing fee, and a request to retain the full security deposit of \$287.50 towards the claim.

The applicant testified that the respondent was served with notice of the hearing by registered mail that was mailed on October 14, 2014 to the forwarding address supplied by the respondent at the end of the tenancy; however the respondent did not join the conference call that was set up for the hearing.

Pursuant to section 90 of the Residential Tenancy Act, documents sent by registered mail are deemed served five days after mailing and therefore it is my finding that the respondent has been properly served with notice of the hearing. I therefore 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 monetary claim against the respondent, and if so in what amount.

Background and Evidence

This tenancy began on February 22, 2014 and the landlord stated that tenant abandoned the rental unit sometime in September 2014.

The landlord further testified that the tenant did not participate in the moveout inspection, even after having been served with the notice of final opportunity to do the inspection.

The landlord testified, and provided photo evidence which he states, clearly shows that this rental unit was left with significant damages, and in need of significant cleaning and garbage removal.

The landlord further stated that tenant also failed to return the mailbox key and therefore the lock had to be changed on the mailbox.

The landlord is therefore requesting a revised monetary order as follows:

Replacing broken living room window	\$221.27
Replace damaged closet doors	\$131.30
Paint cost	\$45.96
Landfill costs	\$6.00
Cost of photo evidence	\$100.36
Replace mailbox lock	\$10.00
Cost of light fixture glass and caulking	\$8.74
42.92 hours of cleaning and repairs at \$25.00 per hour	\$1073.00
Filing fee	\$50.00
Total	\$1646.63

Analysis

After reviewing all the photo evidence and documentary evidence combined with the testimony from the landlord it's my finding that the landlord has established the full amount claimed other than the cost of the photo evidence.

Photo evidence is considered a cost of the dispute resolution process and I do not have the authority to award costs, other than the filing fee which I will allow.

The photo evidence however, clearly shows that this rental unit was left in need of significant cleaning and repairs and shows that there was a large amount of garbage left behind.

The landlord has provided proof of the costs for those repairs and has provided an extensive breakdown of the hours spent doing the cleaning and repairs.

Therefore the total amount of the claim that I have allowed is \$1546.27.

Conclusion

As stated above I have allowed \$1546.27 of this claim and I therefore order that the applicant may retain the full security deposit of \$287.50, and have issued a monetary order in the amount of \$1258.77.

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 19, 2015

Residential Tenancy Branch

