



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding BC Housing Management Commission
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes MND, MNDC, FF

Introduction

This was the hearing of an application by the landlord for a monetary award to compensate the landlord for damage to the rental unit and for the cost of cleaning and repairs. The hearing was conducted by conference call. The landlord's representative called in and participated in the hearing. The tenant did not attend although she was served with the application and Notice of Hearing sent by registered mail on October 17, 2014 to the forwarding address she provided to the landlord.

Issue(s) to be Decided

Is the landlord entitled to a monetary award and if so, in what amount?

Background and Evidence

The rental unit is a townhouse in Victoria. The tenancy began in December, 2011. The tenant moved out on January 31, 2014. The tenant did not clean the rental unit. She left old furniture and cast off belongings at the rental unit. The landlord's representative testified that the tenant caused stains and damage to the carpet that could not be removed. The walls in the rental unit were extensively marked and damaged and the entire rental unit required repairs and full re-painting with two coats of paint.

The landlord has claimed only a portion of the cost to replace the carpet. Based on the landlord's estimate of the anticipated lifespan of the carpet, the landlord has claimed payment of something less than half the cost of the carpet replacement. Similarly with respect to painting, the landlord has claimed payment of an amount that is half the actual invoice for painting. The landlord has claimed the following amounts:

- Flooring replacement: \$288.75
- Painting, 2 coats: \$614.69

• Cleaning suite:	\$100.00
Less payment received from tenant:	-\$66.69
Total:	\$936.75

The tenant agreed with the landlord to make installment payments on account of the landlord's monetary claim, but apart from the one payment noted, which was paid before the landlord filed its application, no other payments have been made.

Analysis

The photographs and other documents filed support the landlord's claims in this proceeding. The rental unit was not properly cleaned when the tenancy ended and there is evidence that the damage to the carpet and walls exceeded normal wear and tear. I find that there is ample evidence to establish that the landlord is entitled to an award in the amount sought.

Conclusion

I allow the landlord's claim in the amount of \$936.75. The landlord is entitled to recover the \$50.00 filing fee for this application for a total award of \$986.75 and I grant the landlord an order under section 67 in the said amount. This order may be registered 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: May 27, 2015

Residential Tenancy Branch

