



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding The Owners of Strata Plan NW1885
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes MNR, MNDC

Introduction

This was a hearing with respect to the landlord's claim for a monetary award. The hearing was conducted by conference call. The landlord's representative called in and participated in the hearing. The tenant did not attend, although the was served with the application and Notice of Hearing sent on November 19, 2014.

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 an apartment in a strata complex, the landlord is the strata corporation. The tenancy began in May, 2008. The monthly rent was \$650.00 and the tenant paid a security deposit of \$325.00 before the commencement of the tenancy.

The tenant moved out on October 31,, 2014. In 2012, due to inadvertence, the tenant allowed his sink to overflow, causing water damage to the common property of the strata corporation. The tenant acknowledged responsibility for the damage, but has not paid for the cost of repairs. The landlord reduced the amount required to be paid by the tenant from the actual invoiced cost to the lesser sum of \$500.00. The tenant has not paid that amount. The tenant also paid only part of the rent for December, 2013. The sum of \$500.00 is due for December and the tenant did not pay any rent for January, 2014, leaving \$650.00 due for January. After the tenant moved out he participated in a condition inspection and agreed in writing that the landlord could retain his security deposit on account of damage to the rental unit.

Analysis

Based on the landlord's documents, including the tenant's written acknowledgements of his indebtedness for the amounts claimed in this proceeding, I find that the landlord is entitled to an award of \$500.00 for the repair of damage to the common property caused by the tenant and for the sum of \$1,150.00, being unpaid rent for December 2013 and January, 2014.

Conclusion

The total award to the landlord is the sum of \$1,650.00. The landlord is entitled to recover the \$50.00 filing fee for this application, for a total award of \$1,700.00 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: July 02, 2015

Residential Tenancy Branch

