



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute codes MNR MNSD FF O

Introduction

This hearing dealt with an application by the landlord for a monetary order and an order allowing retention of the security deposit in partial satisfaction of the claim. The hearing was conducted by conference call. The landlord called in and participated in the hearing. The tenants did not appear although the Application for Dispute Resolution and Notice of Hearing were served on the female tenant in person at her place of work on August 13, 2015 and on the male tenant by registered mail sent on August 13, 2015. The address used for service on the male tenant was given to the landlord by the tenants when they gave notice that they were leaving.

Issues

Is the party entitled to the requested orders?

Background and Evidence

This tenancy began on June 15, 2014. The rent was \$950.00 due in advance on the first day of each month. The tenants paid a security deposit of \$475.00 at the start of the tenancy. The tenants moved out without any notice on August 1, 2015. The tenants had not paid rent for July. According to the landlord the tenants moved out without properly cleaning the rental unit. The landlord also claimed that the tenant paid the rent late five times over the course of the tenancy and that the tenancy agreement stipulated a \$25 late fee for all late payments. Finally, the tenants failed to return the keys to the rental unit.

The landlord provided photos of the rental unit showing the way it was left when the tenants moved out. A copy of the tenancy agreement was also submitted.

Analysis

The landlord has made a monetary claim against the tenants comprised of the following:

• Unpaid rent for July:	\$950.00
• Unpaid rent for half of August:	\$450.00
• Cleaning:	\$210.00
• Late fees (\$25x5)	\$100.00
• Lost key	\$ 50.00
TOTAL	\$1760.00

Based on the information and evidence before me, and in the absence of any evidence or presentation from the tenants, I am satisfied that the landlord's claim is both reasonable and justified. I therefore find that the landlord has established the full amount of its monetary claim.

Conclusion

Monetary Order and Security Deposit - I find that the landlord has established a total monetary claim of \$1760.00 for the items listed above. The landlord is entitled to recover the \$50.00 filing fee for this application for a total award of \$1810.00. I order that the landlord retain the deposit and interest (\$0.00) of \$475.00 in partial satisfaction of the claim and I grant the landlord an order under section 67 for the balance due of \$1335.00. 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: January 18, 2016

Residential Tenancy Branch

