



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MND, FF

Introduction

This is an application brought by the Landlord requesting a monetary order in the amount of \$2706.04 and requesting recovery of the \$50.00 filing fee.

The applicant testified that the respondent was served with notice of the hearing by registered mail that was mailed on November 24, 2015; 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 and I therefore conducted the hearing in the respondent's absence.

The applicant's 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

The landlord testified that the tenant abandoned this rental unit in mid-October of 2015 leaving the rental unit in a very dirty and damaged condition.

Landlord testified that it took 37.5 hours for her and her family to clean the rental unit and she is therefore asking for a total of \$844 for cleaning.

The landlord further testified that she was required to borrow a truck and pay for people to help her haul all the trash to the dump at a cost of \$200.00.

Landlord further testified that the tenant destroyed the eight-year-old carpet and the cost to replace the carpet was \$408.73.

The landlord further testified that the tenant destroyed the kitchen fan/light and the cost to replace and install that was \$101.60.

The landlord further testified that the tenant had anger issues, and as a result there was extensive damage to the drywall in the rental unit, and the cost to repair that drywall was \$300.00.

The landlord further testified that the tenant left a 6" x 6" hole in a door and the cost to replace that door was \$100.00.

The landlord further testified that the tenant destroyed a hand shower and the cost to replace that shower was \$53.74.

The landlord further testified that the tenant destroyed the living room ceiling fan and the estimated cost to replace that fan is \$150.00.

The landlord further testified that the tenant destroyed a doorjamb and the cost to repair the doorjamb was \$100.00.

The landlord further testified that she received orders for the tenant to pay outstanding rent however the tenant refused to pay that and as a result she had summons and courier costs of \$313.57.

The landlord further testified that the tenant did not return the keys and the cost to rekey the locks was \$134.40.

Therefore the total amount claimed by the landlord is \$2706.04.

The landlord pointed out that she has provided photo evidence that clearly shows the condition in which the rental unit was left.

Analysis

It is my finding that the landlord has shown that the tenant left this rental unit in need of significant cleaning and repairs, and I find the amounts claimed by the landlord to be fully justifiable, other than the cost of replacing the carpet. The carpet was eight years old and since carpets are expected to have a serviceable life of 10 years I must reduce that portion of the claim by 80%.

Further, considering the extensive damage caused to the rental unit, and the amount of cleanup and junk removal required at the end of the tenancy I find that the landlords claim is quite reasonable.

Further, it is also my decision that the tenant is liable for the landlord's costs for service of summonses and courier expenses to enforce the previous orders issued against the tenant.

Therefore the total claim that I have allowed is as follows:

37.5 hours of cleaning	\$844.00
Removing trash and belongings	\$200.00
20% of Carpet replacement cost	\$81.75
Replace and install kitchen fan/light	\$101.60
Drywall repair	\$300.00
Replace damaged door	\$100.00
Replace damaged hand shower	\$53.74
Damaged living room ceiling fan	\$150.00
Fix broken doorjamb	\$100.00
Cost for service of summonses and courier costs	\$313.57
Rekey locks	\$134.40
Filing fee	\$50.00
Total	\$2429.06

Conclusion

Pursuant to section 67 of the Residential Tenancy Act I have issued a monetary order in the amount of \$2429.06.

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: June 21, 2016

Residential Tenancy Branch