



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Total Concept Developments Ltd.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes MNSD, MNR, MNDC, FF

Introduction

This is an application brought by the Landlord(s) requesting a Monetary Order in the amount of \$3220.41 and recovery of the \$50.00 filing fee.

The applicant(s) testified that the respondent(s) were served with notice of the rescheduled hearing by registered mail that was mailed on June 20, 2016, however the respondent(s) 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(s) have been properly served with notice of the hearing and 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 applicants have established a monetary claim against the respondents, and if so in what amount.

Background and Evidence

The applicant testified that this tenancy began on April 1, 2014 with a monthly rent of \$1400.00 due on the first of each month.

The applicant further testified that the tenancy ended on April 30, 2016, however the tenants failed to pay any rent for the month of April 2016.

The applicant further testified that the move out inspection was done on April 30, 2016, and at that time the tenants gave the landlords permission to use their \$700.00 security deposit towards the outstanding April 2016 rent, leaving \$700.00 still outstanding.

The applicant further testified that, during the move out inspection, they found the rental unit in need of significant cleaning and repairs as follows:

- There was a broken PVC conduit that had to be repaired at a cost of \$28.40.
- There was a broken light fixture that had to be replaced at a cost of \$22.40.
- The walls were extensively scratched and gouged and the whole unit had to be repainted, and the cost of paint was \$31.10.
- The rental unit was left in need of significant cleaning, and the cost of that cleaning was \$200.00.
- The tenants left large gouges in the hardwood floor which could not be repaired and therefore the flooring had to be completely replaced at a cost of \$1909.88.
- At the end of the tenancy the shower rods were missing and the replacement cost was \$21.18.
- The tenants had left large holes in the bedroom doors and the replacement cost was \$196.43.
- The tenants had left large cracks in the closet door and it was beyond repair, and had to be replaced at a cost of \$65.94.
- The tenants had vomited off of their deck and as a result the landlords had to clean the deck below, and the common area below at a cost of \$45.00.

The applicants are therefore requesting a total Monetary Order including the outstanding rent of \$3220.41.

The applicants are also requesting an order for recovery of the \$50.00 filing fee.

Analysis

After reviewing the landlords testimony, and large evidence package it is my finding that the landlords have established the full amount claimed. It is obvious from the photo evidence provided that this rental unit was left in need of significant cleaning and repairs, and I accept the landlords testimony that the tenants failed to pay the April 2016 rent.

The landlords have provided evidence that shows that the tenants agreed to allow the landlords to use the security deposit of \$700.00 towards the outstanding rent however that still leaves \$700.00 in rent outstanding for the month of April 2016.

Therefore the total claim I have allowed is as follows:

April 2016 rent outstanding	\$700.00
PVC conduit repair	\$28.48
Replace light fixture	\$22.40
Paint	\$31.10
Extensive cleaning	\$200.00
Hardwood floor replacement	\$1909.88
Replace shower rods	\$21.18
Replace damaged bedroom doors	\$196.43
Replace damaged closet doors	\$65.94
Cleaning vomit	\$45.00
Filing fee	\$50.00
Total	\$3270.41

Conclusion

I have allowed the landlords full claim and pursuant to section 67 of the Residential Tenancy Act I have issued a Monetary Order in the amount of \$3270.41.

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 21, 2016

Residential Tenancy Branch