



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes FF, MND, MNDC, MNSD

Introduction

This is an application brought by the Landlord requesting a Monetary Order in the amount of \$3339.51, and recovery of the \$100.00 filing fee.

The applicant testified that the respondent was served with notice of the hearing by registered mail that was mailed on March 9, 2016; 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 applicant testified that this tenancy began on November 3, 2013, with a monthly rent of \$1350.00 due on the first of each month, and a security deposit of \$675.00 was paid on that date.

The applicant further testified that she gained full possession of the rental unit on January 12, 2016, and although she is not claiming any rent for the month of January

2016, the tenant also failed to pay the full December 2015 rent and she is therefore requesting an Order for that outstanding rent.

The applicant further testified that the tenant failed to pay the City of Vernon utility Bill and as a result she, the landlord, has had to pay the bill.

The applicant further testified that the tenant left the rental unit in need of extensive cleaning and left a large amount of garbage behind and she is therefore requesting an Order that the tenant be held responsible for the cost of cleaning and garbage removal.

The applicant further testified that the tenant had a swimming pool in the backyard that killed the grass, and as a result she had to purchase grass seed.

The applicant further testified that the tenant failed to return the keys and therefore she had to have the locks changed.

The applicant is therefore requesting a Monetary Order as follows:

City of Vernon utility Bill	\$490.10
First dump fees	\$10.75
Second dump fees	\$13.00
First cleaning supplies	\$20.63
Further cleaning supplies	\$29.50
Even further cleaning supplies were required	\$25.29
Cost to change locks	\$81.41
Labor to clean and repair rental property, a total of 35 hours plus the use of the truck	\$720.00
Grass seed	\$22.38
Junk removal	\$576.45
Outstanding December 2015 rent	\$1350.00
Filing fee	\$100.00
Total	\$3439.51

Analysis

I have reviewed the documentary and photo evidence presented by the landlord and it is obvious that the tenant left this rental unit in need of extensive cleaning, repairs, and junk removal.

The landlord has also shown that the tenant was responsible for the City of Vernon utility Bill and failed to pay it, and therefore I allow the landlords claim for that outstanding bill.

The landlord has also shown that the tenant failed to pay the December 2015 rent, and I therefore allow that portion of the claim.

The landlord has also shown that the tenant failed to return the keys to the rental unit, and I therefore allow the landlords claim for changing the locks.

Having allowed the landlords full claim I also Order recovery of the filing fee.

Conclusion

I have allowed the landlords full claim of \$3439.51 and therefore, pursuant to section 38 of the Residential Tenancy Act, I Order that the landlord may retain the full security deposit of \$675.00, and, pursuant to section 67 of the Residential Tenancy Act, I have issued a Monetary Order in the amount of \$2764.51.

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 06, 2016

Residential Tenancy Branch