



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes FF, MNR, MND, MNSD & MNDC

Introduction

The Application for Dispute Resolution filed by the landlord makes the following claims:

- a. A monetary order in the sum of \$1621.12 for unpaid rent and damages
- b. An order to recover the cost of the filing fee

A hearing was conducted by conference call in the presence of a representative of the applicant and in the absence of the respondent although duly served. On the basis of the solemnly affirmed evidence presented at that hearing, a decision has been reached. All of the evidence was carefully considered.

I find that the Application for Dispute Resolution/Notice of Hearing was served by mailing, by registered mail to where the tenant resides. A search of the Canada Post tracking service indicates that she acknowledged receipt of the documents on April 9, 2016. With respect to each of the applicant's claims I find as follows:

Issue(s) to be Decided

The issues to be decided are as follows:

- a. Whether the landlord is entitled to a monetary order and if so how much?
- b. Whether the landlord is entitled to recover the cost of the filing fee?

Background and Evidence

The parties entered into a written tenancy agreement that provided that the tenancy would start on October 1, 2010. The tenancy agreement provided that the tenant(s) would pay rent of \$830 per month payable in advance on the first day of each month. The tenant abandoned the rental unit without giving notice in early March 2015. The landlord was not able to re-rent the rental unit for March 2015.

Landlord's Application - Analysis

The Residential Tenancy Act provides the tenant must maintain reasonable health, cleanliness and sanitary standards throughout the rental unit and the other residential property to which the tenant has access. The tenant must repair damage to the rental unit or common areas that is caused by the actions or neglect of the tenant or a person permitted on the residential property by the tenant and is liable to compensate the

landlord for failure to do so. In some instances the landlord's standards may be higher than what is required by the Act. The tenant is required to maintain the standards set out in the Act. The tenant is not required to make repairs for reasonable wear and tear. The applicant has the burden of proof to establish the claim on the evidence presented at the hearing.

Monetary Order and Cost of Filing fee

With respect to each of the landlord's claims I find as follows:

- a. I determined the landlord is entitled to \$830 for loss of rent for March 2015. The tenant failed to give notice. The landlord was not able to rent the rental unit for March because of the damage caused by the Tenant.
- b. I determined the landlord is entitled to \$220 for extra cleaning.
- c. I determined the landlord is entitled to \$30 for the removal of debris.
- d. I determined the landlord is entitled to \$91.12 for the cost of replacing doors.
- e. I determined the landlord is entitled to \$450 for the cost of drywall damage.

In summary I determined the landlord has established a monetary claim against the tenant(s) in the sum of \$1621.12 plus the \$100 filing fee for a total of \$1721.12.

It is further Ordered that this sum be paid forthwith. The applicant is given a formal Order in the above terms and the respondent must be served with a copy of this Order as soon as possible.

Should the respondent fail to comply with this Order, the Order may be filed in the Small Claims division of the Provincial 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: September 08, 2016

Residential Tenancy Branch