



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Bristol Estates  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      MND, MNSD, FF

### Introduction

This is an application brought by the Landlord(s) requesting a Monetary Order in the amount of \$382.50, recovery of the \$100.00 filing fee, and requesting an Order to retain a portion of the security deposit towards the claim.

The applicant testified that the respondent was served with notice of the hearing by registered mail that was mailed on March 11, 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 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 December 16, 2011 and that a security deposit of \$425.00 was paid on December 15, 2011, however at this time they only hold \$382.50 of the deposit and the remainder was returned to the tenant.

The applicant further testified that this tenancy ended on March 1, 2016 however when the tenant vacated he left the rental unit in need of the following:

5 hours of cleaning	\$175.00
The carpets required cleaning	\$100.00
The curtains required cleaning	\$65.00
The bathroom heat lamp was burned-out	\$10.00
13 light bulbs were burned-out	\$32.50
Total	\$382.50

The applicant further testified that they attempted to get the tenant to agree to allow them to retain \$382.50 of the security deposit for the cleaning and repairs, however he refused to do so.

The applicants are therefore requesting an Order allowing them to keep the remainder of the security deposit that they hold, and requested a Monetary Order be issued for the \$100.00 filing fee.

### Analysis

After reviewing the photo evidence and testimony provided for this hearing it is my finding that the landlords have shown that the tenant left the rental unit in need of

significant cleaning, and therefore I allow the full amount claimed for cleaning, carpet cleaning, and curtain cleaning, as I find these amounts to be reasonable.

It is also tenant's responsibility to replace burned-out light bulbs during the tenancy, and I therefore also allow the landlords claim for the burned-out heat lamp and light bulbs.

Pursuant to section 67 of the Residential Tenancy Act I have allowed the full amount claimed by the landlord, and I therefore I also allow the request for recovery of the \$100.00 filing fee.

### Conclusion

I have allow the landlords full total claim of \$482.50 and I therefore Order that the landlords may retain the \$382.50 security deposit they still hold, and I have issued a Monetary Order in the amount of \$100.00.

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: October 12, 2016

---

Residential Tenancy Branch

