



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

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

DECISION

Dispute Codes FF, MNDC, MNR, MNSD

Introduction

This is an application brought by the Landlord(s) requesting a monetary order in the amount of \$3025.75, and requesting recovery of the \$100.00 filing fee.

The applicant(s) testified that the respondent(s) were served with notice of the hearing by registered mail that was mailed on May 24th 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) 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 the tenants paid a security deposit of \$590.00, and a pet deposit of \$590.00 on May 28, 2014.

The applicant further testified that the tenancy began on June 23, 2014 and ended on January 31, 2016.

The applicant further testified that at the end of the tenancy there was a total of \$1890.75 in rent outstanding.

The applicant further testified that at the end of the tenancy there were parking fees totaling \$60.00 outstanding, late fees totaling \$75.00 outstanding, and NSF charges totaling \$100.00 outstanding.

The applicant further testified that after the tenant vacated they found the rental unit in need of significant cleaning and junk removal and they have provided photo evidence in support of this claim. As a result they had to pay for cleaning, carpet cleaning, and junk removal.

The applicant is therefore requesting a monetary order as follows:

Rent outstanding	\$1890.75
Parking fees outstanding	\$60.00
Late fees outstanding	\$75.00
NSF cheque fees outstanding	\$100.00
Cleaning cost	\$260.00
Carpet cleaning	\$190.00
Garbage removal	\$450.00
Filing fee	\$100.00
Total	\$3125.75

Analysis

I have reviewed the evidence provided by the landlord and it is my finding that the landlord has established the full amount claimed.

The landlord has provided a copy of the rent ledger which clearly shows the outstanding rent, parking fees, late fees, and NSF fees, and I therefore allow that portion of the claim.

The landlord has also provided numerous photos that clearly show that this rental unit was left in need of significant cleaning, carpet cleaning, and junk removal. The landlord has also provided a copy of the invoice that shows the amounts paid for cleaning, carpet cleaning, and junk removal. I therefore also allow this portion of the claim.

Having allowed the full claim, I also allow the request for recovery of the \$100.00 filing fee.

Conclusion

I have allow the landlords full claim of \$3125.75 and I therefore order that the landlord may retain the full security deposit of \$590.00, and the full pet deposit of \$590.00, and I have issued a monetary order for the respondents to pay \$1945.75 to the applicants.

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: November 09, 2016

Residential Tenancy Branch