



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MND, FF

Introduction

This is an application brought by the Landlord(s) requesting a monetary order in the amount of \$184.00, which includes \$84.00 for carpet cleaning, and the \$100.00 filing fee.

Some documentary evidence, photo evidence, and written arguments has been submitted by the parties prior to the hearing. I have thoroughly reviewed all relevant submissions.

I also gave the parties the opportunity to give their evidence orally and the parties were given the opportunity to ask questions of the other parties.

The parties were affirmed.

Issue(s) to be Decided

The issue is whether or not the applicants have established monetary claim against the respondent, and if so in what amount.

Background and Evidence

The parties agree that this tenancy began on June 1, 2014 and ended on April 1, 2016.

The parties also agree that no move-in inspection report was completed at the beginning of the tenancy, and no move-out inspection report was completed at the end of the tenancy.

The applicant testified that, at the end of the tenancy, the tenant failed to have the carpets professionally cleaned, and as a result, the carpets were left stained, and he had to have them professionally cleaned, at a cost of \$84.00.

The landlord further testified that he has provided photo evidence that shows that the carpets required cleaning.

The applicant is therefore requesting a monetary order for the cost of that carpet cleaning and the recovery of his \$100.00 filing fee that he paid for today's hearing.

The tenant testified that the carpets were thoroughly cleaned at the end of the tenancy, by the professional cleaning company she hired to clean the rental unit. She further stated that the cleaning company did not supply the carpet cleaner; however they used a carpet cleaner that she supplied to clean the carpets.

The tenant further testified that, although there was no move-out inspection report done, they did walk through the premises at the end of the tenancy, and the landlord made no mention of any need for further carpet cleaning, however he did state that he wanted a copy of the carpet cleaning receipt.

The tenant further testified that the original receipt supplied by her cleaners did not mention the carpet cleaning, however she has supplied an updated receipt from the cleaning contractors where it clearly states that carpet cleaning was also completed.

The landlord, in response to the tenant's testimony, stated that he did ask the tenant for receipt for the carpet cleaning because the Residential Tenancy Act requires that the tenant have the carpets professionally cleaned, however the receipt she originally gave him made no mention of carpet cleaning.

Analysis

Under the Residential Tenancy Act a tenant is responsible to maintain "reasonable health, cleanliness and sanitary standards" throughout the premises. Therefore the landlord might be required to do extra cleaning to bring the premises to the high standard that they would want for a new tenant. The landlord is not entitled to charge the former tenants for the extra cleaning. In this case it is my decision that the landlords have not shown that the tenants failed to meet the "reasonable" standard of cleanliness required.

Further, since the landlord failed to comply with the Residential Tenancy Act and complete a move-out inspection report, there is no record of the condition in which the carpets were left at the end of the tenancy, and as I have no way of knowing when the landlord's photo evidence was taken, it is my finding that the landlord is not met the burden of proving that the tenant left the carpets in the rental unit in need of any extra cleaning.

I therefore will not allow the landlords request for a monetary order.

Conclusion

This application is dismissed in full, without leave to reapply.

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: February 14, 2017

Residential Tenancy Branch

