



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding COLUMBIA PROPERTY MANAGEMENT LTD.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes MND MNDC FF

Introduction

This hearing dealt with the Landlord's Application for Dispute Resolution, dated October 11, 2016 (the "Application"). The Landlord applied for the following relief, pursuant to the *Residential Tenancy Act* (the "Act"):

- a monetary order for damage to the unit, site or property;
- a monetary order for money owed or compensation for damage or loss; and
- an order granting recovery of the filing fee.

The Landlord was represented at the hearing by K.P., who provided affirmed testimony. The Tenant did not attend the hearing.

On behalf of the Landlord, K.P. testified that the Landlord's Application package, including the Notice of a Dispute Resolution Hearing and documentary evidence, was served on the Tenant by registered mail on October 14, 2016, and was signed for on November 14, 2016. A Canada Post registered mail receipt was provided in support. I find the Tenant received the Landlord's Application package on November 14, 2016.

The Landlord submitted a subsequent documentary evidence package into evidence. According to K.P., this package was served on the Tenant by registered mail on December 29, 2016, and was signed for on December 30, 2016. A Canada Post registered mail receipt was provided in support. I find the Tenant received the Landlord's subsequent evidence package on December 30, 2016.

The Landlord's agent, K.P. was provided with the opportunity to present evidence orally and in written and documentary form, and to make submissions to me. I have reviewed all oral and written evidence before me that met the requirements of the Rules of Procedure. However, only the evidence relevant to the issues and findings in this matter are described in this Decision.

Issues to be Decided

1. Is the Landlord entitled to monetary order for damage to the unit, site or property?
2. Is the Landlord entitled to a monetary order for money owed or compensation for damage or loss?
3. Is the Landlord entitled to an order granting recovery of the filing fee?

Background and Evidence

On behalf of the Landlord, K.P. testified the tenancy began on September 1, 2011. Although an arbitrator determined on September 15, 2016, that the tenancy ended on July 19, 2016, the Tenant did not vacate the rental unit until September 28, 2016.

The Landlord claimed \$479.75 for repairs and cleaning required in the rental unit after the Tenant vacated the rental unit. The items claimed were summarized on a Monetary Order Worksheet, dated October 13, 2016. Specifically, the Landlord sought to recover \$260.00 to clean the suite, \$99.75 to clean the carpets, \$60.00 to clean the window coverings, and \$60.00 to complete minor wall repairs. These costs are reflected in a Condition Inspection Report that was signed by the parties on September 28, 2016. The Landlord's claim was also supported by Hourly Time Records, and a receipt for the cost of carpet cleaning.

The Landlord also sought to recover the \$100.00 filing fee paid to make the Application.

Analysis

Based on the unchallenged and affirmed oral testimony and documentary evidence, and on a balance of probabilities, I find:

If damage or loss results from a party not complying with the *Act*, Regulation or a tenancy agreement, section 67 of the *Act* empowers me to order a party to pay compensation to the other party. In this case, I am satisfied that the Landlord has incurred the expenses as claimed and I grant the Landlord a monetary award of \$479.75. In addition, having been successful, I find the Landlord is entitled to recover the \$100.00 filing fee paid to make the Application.

Pursuant to section 67 of the *Act*, I grant the Landlord a monetary order in the amount of \$579.75, which is comprised of \$479.75 for repair and cleaning costs, and \$100.00 for recovery of the filing fee.

Conclusion

The Landlord is granted a monetary order in the amount of \$579.75. This order may be filed in and enforced as an order of the Provincial Court of British Columbia (Small Claims).

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: April 13, 2017

Residential Tenancy Branch