



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

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

DECISION

Dispute Codes FF, MND, MNR, MNSD

Introduction

This is an application brought by the Landlords requesting a monetary order in the amount of \$1310.59, and requesting recovery of the \$100.00 filing fee.

The applicant testified that the respondent(s) were served with notice of the hearing by registered mail that was mailed on January 16, 2017; 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) have been properly served with notice of the hearing, and I conducted the hearing in the respondent's absence.

All testimony was taken under affirmation.

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 applicant testified that the tenants paid a security deposit of \$600.00 on June 5, 2012, and a pet deposit of \$600.00 on July 1, 2012, and the tenancy began on July 1, 2012.

The applicant testified that a move in inspection report was done at the beginning of the tenancy and a moveout inspection was done at the end of the tenancy, however the tenants refused to sign the moveout inspection report.

The applicant testified that the tenants vacated the rental unit on December 31, 2016

The applicant testified that at the end of the tenancy, as can be seen by the photo evidence provided, the tenants left an extensive amount of garbage behind, including a makeshift greenhouse with lots of plastic and 2 X 4's, and as a result they had to have all the garbage removed at a cost of \$1013.26, and they have included a copy of the paid invoice.

The applicant testified that the tenants failed to properly clean the rental unit at the end of the tenancy, and therefore they were required to have the unit cleaned at a cost of \$125.00 and they have included a copy of the paid invoice.

The applicant further testified that, in the tenancy agreement, water was not included, and therefore the tenants were required to pay the City of Abbotsford water utility Bills; however they failed to pay two water utility bills, one in the amount of \$125.37, and one in the amount of \$46.96, and they have included both water bills from the City.

The applicant is therefore requesting a monetary order as follows:

Extensive garbage/junk removal	\$1013.26
Cleaning rental unit	\$125.00
September 2016 utility Bill	\$125.37
November 2016 utility Bill	\$46.96
Filing fee	\$100.00
Total	\$1410.59

The applicant further requests an order allowing them to keep the full security/pet deposit of \$1200.00 towards the claim and requests that a monetary order be issued for the remainder.

Analysis

The applicant has supplied a total of 47 photos that clearly show that this rental unit was left in need of extensive garbage removal, and I therefore allow the full amount claimed for garbage removal.

The photo evidence also clearly shows that the rental unit was left in need of cleaning, and I therefore also allow the claim for cleaning.

The landlords have also supplied a copy of the tenancy agreement that clearly shows that the water utility was not included in the rental, and therefore the tenants were required to pay the utilities, and since they failed to pay the above amounts, I also allow that portion of the landlords claim.

Pursuant to sections 62 and 72 of the Residential Tenancy Act I have allow the landlords full claim of \$1310.59, and recovery of the \$100.00 filing fee, for a total of \$1410.59.

Conclusion

I have allowed a total claim of \$1410.59 and therefore pursuant to section 38 of the Residential Tenancy Act, I order that the applicants may retain the full security deposit of \$600.00, and the full pet deposit of \$600.00, and I have issued a monetary order for the respondents to pay \$210.59 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: June 30, 2017

Residential Tenancy Branch