



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding ACE AGENCIES LTD  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      MNSD, FF

### Introduction

The landlord applies to recover strata fines imposed on the tenants and reimbursement for the cost of repair to an elevator and a game room in the apartment building.

Neither tenant attended for the hearing within twenty minutes after its scheduled start time.

Ms. K.S. for the landlord shows that she sent the application and notice of hearing by registered mail to each tenant at an address provided verbally by the tenant Ms. S. as her new residence. The tenants were living separate and apart at that time. Canada Post records show (tracking numbers shown on cover page of this decision) that each mailing was received and signed for by "S.M." (*name redacted*) on January 3, 2017.

I find that the tenant Ms. S. has been duly served in accordance with s. 89 of the *Residential Tenancy Act*.

I find that the tenant Mr. S. has not been duly served as there is no evidence to show that the address used by the landlord was an address at which he resided.

On the undisputed evidence of Ms. K.S. for the landlord I find that the tenants or one of them caused the strata corporation to levy two \$150.00 fines which the landlord has paid. I award the landlord \$300.00.

I find that the tenant Ms. S. is responsible for \$735.00 to paint over scratches in an elevator and \$856.80 to replace the elevator pad.

I find that the tenants or one of them are responsible for repair of locks to a game room at a cost of \$157.85 and for glass replacement in the game room at a cost of \$383.34.

In result, the landlord is entitled to a monetary award against the tenant Ms. S. in the amount of \$2432.99 plus recovery of the \$100.00 filing fee.

I authorize the landlord to retain the \$600.00 security deposit, the \$600.00 pet damage deposit and the \$60.00 fob deposit in reduction of the amount awarded.

The landlord waives issuance of a monetary order against the tenant Ms. S. for the remainder of the award.

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 26, 2017

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Residential Tenancy Branch