



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: *MND, MNR, MNSD, FF*

Introduction

This hearing dealt with an application by the landlord pursuant to the *Residential Tenancy Act*, for a monetary order for unpaid rent, for the cost of cleaning and for the recovery of the filing fee. The landlord also applied to retain the security deposit in partial satisfaction of the claim. Both parties attended the hearing and were given full opportunity to present evidence and make submissions. The tenant acknowledged receipt of evidence submitted by the landlord. Both parties gave affirmed testimony.

Issues to be decided

Is the landlord entitled to a monetary order for unpaid rent, for the cost of cleaning and for the recovery of the filing fee?

Background and Evidence

The tenancy started on September 05, 2016 and ended on March 04, 2017. The monthly rent was \$1,500.00 payable on the fifth of each month. Prior to moving in the tenant paid a security deposit of \$750.00.

The landlord stated that the tenant left the unit in an unclean condition. The tenant moved out on March 02, 2017 to a city that was an eight hour drive away. The tenant stated that he hired his niece to clean the rental unit and that she cleaned the unit by the morning of March 04, 2017. The landlord informed the tenant that that he would not be allowed access after March 04, 2017.

The tenant stated that his niece did a good job cleaning the rental unit and sent him photographs of how she left it. The tenant did not file any evidence to show the condition of the unit after he moved out. The landlord filed digital evidence to support her testimony that the unit was not cleaned. The landlord is claiming \$225.00 for nine hours of time spent by two people to clean the rental unit.

The tenant agreed that he did not pay rent for the period of February 05 to March 04, 2017 in the amount of \$1,500.00.

The landlord is claiming the following:

1.	Unpaid rent	\$1,500.00
2.	Cleaning	\$225.00
3.	Filing fee	\$100.00
	Total	\$1,825.00

Analysis

The tenant did not dispute the amount of rent owed and therefore I award the landlord \$1,500.00 for unpaid rent.

Based on the digital evidence filed by the landlord, I find that the tenant left the unit in an unclean condition. I further find that the landlord's claim of \$225.00 is reasonable and accordingly I award the landlord her claim. The landlord has proven her claim and therefore I award her the recovery of the filing fee of \$100.00.

The landlord has established a claim for \$1,825.00. . I order that the landlord retain the security deposit of \$750.00 in partial satisfaction of the claim and I grant the landlord an order under section 67 of the *Residential Tenancy Act* for the balance due of \$1,075.00. This order may be filed in the Small Claims Court and enforced as an order of that Court.

Conclusion

I grant the landlord a monetary order in the amount of **\$1,075.00**.

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: August 28, 2017

Residential Tenancy Branch