



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding BC KINSMEN HOUSING SOCIETY
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes: MNDC, MNSD, MND, FF

Introduction

This hearing dealt with an application by the landlord pursuant to the *Residential Tenancy Act* for a monetary order for the cost of the services of a bailiff and associated costs, for the cost of cleaning and for the recovery of the filing fee. The landlord also applied to retain the security deposit.

The landlord testified that on August 22, 2017, she served the tenant with the notice of hearing by registered mail to the forwarding address provided by the tenant. Despite having been served the notice of hearing, the tenant did not attend the hearing. The landlord attended the hearing and was given full opportunity to present evidence and make submissions.

Issues to be decided

Is the landlord entitled to a monetary order for the cost of the services of a bailiff and associated costs, for the cost of cleaning and for the recovery of the filing fee?

Background and Evidence

The landlord testified that the tenancy started on May 15, 2014. The accommodation is subsidised housing and is allotted and rented based on a tenant's income and family size. Prior to moving in the tenant paid a security deposit of \$400.00.

Pursuant to an application for dispute resolution, the landlord was granted an order of possession dated April 06, 2017. The landlord needed to use a bailiff to enforce the order. The landlord filed photographs of the condition of the rental unit after the tenant was removed. The photographs show the unit to be in a condition that required considerable cleaning of the unit and of the carpet.

The landlord is claiming the following:

1.	Bailiff Services	\$3,900.87
2.	Storage of tenant's belongings	\$315.00
3.	Court filing fees	\$133.00
4.	Bagging and delivering tenant's belongings	\$708.00
5.	Cleaning of rental unit	\$300.00
6.	Carpet cleaning	\$141.75
7.	Filing fee	\$100.00
	Total	\$5,598.62

The landlord has filed photographs and copies of invoices to support her monetary claim.

Analysis

Based on the documents filed into evidence and the undisputed testimony of the landlord I find that the landlord has established a claim in the amount of \$5,598.62. I order that the landlord retain the security deposit of \$400.00 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 \$5,198.62. 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 of **\$5,198.62**.

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 21, 2018

Residential Tenancy Branch