



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

**Dispute Codes:** OPR, MNR, MNDC, MNSD, FF

### **Introduction**

This hearing dealt with an application by the landlord pursuant to the *Residential Tenancy Act* for an order of possession and a monetary order for unpaid rent, NSF charges, replacement of a remote control, cost of cleaning and the filing fee. The landlord also applied to retain the security deposit in partial satisfaction of her claim. Both parties attended this hearing and were given a full opportunity to be heard, to present affirmed testimony, to make submissions and to call witnesses.

As both parties were in attendance I confirmed service of documents. The tenant confirmed receipt of the landlord's evidence and stated that she did not serve the landlord with her own evidence. I informed the tenant that the documents that she filed into evidence would not be used in the making of this decision. I find that the landlord was served with evidentiary materials in accordance with sections 88 and 89 of the *Act*.

Since the tenant moved out on January 31, 2019, the landlord withdrew her application for an order of possession.

### **Issues to be decided**

Is the landlord entitled to a monetary order?

### **Background and Evidence**

The tenancy started on February 01, 2018. The monthly rent was \$1,950.00 and the tenant paid a security deposit of \$975.00. The tenant agreed that her rent cheques for December 2018 and January 2019 were returned and that she did not replace them. The tenant accepted that she owed rent in the amount of \$3,900.00. The landlord filed proof of having incurred bank charges of \$7.50 for each of the returned cheques. The tenant also agreed to the cost of replacing the garage remote control and the cost of cleaning. The landlord filed copies of invoices to support her monetary claim.

The landlord applied for the following:

1.	Unpaid rent for December 2018	\$1,950.00
2.	Unpaid rent for January 2019	\$1,950.00
3.	Bank charges for NSF cheques	\$15.00
4.	Replace garage remote control	\$145.77
5.	Clean rental unit	\$724.50
6.	Filing fee	\$100.00
	Total	<b>\$4,885.27</b>

### **Analysis**

The tenant agreed to the entire monetary claim of the landlord for unpaid rent, bank charges, cost of replacing the garage remote control and for the cost of cleaning. Since the landlord has proven her claim I award her the recovery of the filing fees.

Over all, the landlord has established a claim for a total of \$4,885.27. I order that the landlord retain the security deposit of \$975.00 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 \$3,910.027. 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 for **\$3,910.27**.

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*.

April 16, 2019

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Residential Tenancy Branch