



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: *MND, MNSD, 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 cleaning, repairs and the filing fee. The landlord also applied to retain the security deposit in partial satisfaction of her claim.

The landlord sent a copy of her application and the notice of hearing to the tenant by registered mail on July 12, 2019, to the forwarding address provided by the tenant. The landlord provided a tracking number.

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 cleaning, repairs and the filing fee? Is the landlord entitled to retain the security deposit?

Background and Evidence

The tenancy started on April 21, 2017. The monthly rent at the end of tenancy was \$1,560.00 payable on the first of each month. Prior to moving in the tenant paid a security deposit of \$750.00 and a pet deposit of \$750.00.

The landlord stated that the tenant requested her to use part of the deposit towards rent and the landlord agreed to do so. The landlord testified that at the time of the hearing she was holding a deposit of \$720.00.

The landlord submitted that the tenant left the rental unit in a dirty condition that required repairs which included one broken window pane. The landlord filed photographs and invoices to support her monetary claim.

The landlord is claiming the following:

1.	Cleaning	\$600.00
2.	Repairs	\$677.25
3.	Window pane installment	\$326.52
4.	Filing fee	\$100.00
	Total	\$1,703.77

Analysis

Based on the undisputed testimony of the landlord and the photographs and invoices filed into evidence, I find that the landlord has proven her monetary claim. Since the landlord has proven her claim, she is also entitled to the filing fee.

Overall the landlord has established a claim of \$1,703.77. I order that the landlord retain the deposit of \$720.00 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 \$983.77. 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 the amount of **\$983.77**.

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: October 10, 2019

Residential Tenancy Branch