



Dispute Resolution Services

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Residential Tenancy Branch

Office of Housing and Construction Standards

DECISION

Dispute Codes 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 cleaning, repairs and the filing fee. The landlord also applied to retain the security deposit in partial satisfaction of his claim.

The landlord sent a copy of his application and the notice of hearing to the tenant by registered mail on April 15, 2022, and 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 for the recovery of the filing fee? Is the landlord entitled to retain the security deposit?

Background and Evidence

The tenancy started on June 01, 2021. Prior to moving in the tenant paid a security deposit of \$1,650. The tenant moved out on April 15, 2022. The landlord filed a copy of the move in and move out inspection report. The report indicates that at the start of the tenancy, the rental unit was brand new and had never been occupied. The landlord filed photographs and invoices to support his claim for the following:

1.	Paint	\$333.06
2.	Appliance parts	\$1,502.81
3.	Replace glass tile	\$300.00
	Total	\$2,135.87

Analysis

Based on the evidence filed by the landlord and in the absence of any contradictory evidence from the tenant, I find that the landlord has established a claim for \$2,135.87. Since the landlord has proven his case, he is also entitled to the recovery of his filing fee. Accordingly, the landlord has established a total claim of \$2,235.87.

I order that the landlord retain the security deposit of \$1650.00.00 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 \$585.87. 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 **\$585.87**.

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: January 14, 2023

Residential Tenancy Branch