

## **DECISION**

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

This hearing dealt with an application by the landlord for a monetary order and an order to retain the security deposit in partial satisfaction of the claim. Despite having been served with the application for dispute resolution and notice of hearing by registered mail on September 4, 2008, the tenant did not participate in the conference call hearing.

On March 1, 2007, the landlord collected a security deposit from the tenant in the amount of \$425.00. The tenancy began on the same day. Rent in the amount of \$850.00 is payable in advance on the first day of each month. The tenant failed to pay rent in the months of July and August and on August 5; the landlord served the tenant with a notice to end tenancy for non-payment of rent. On August 15, the tenant ended her tenancy.

The landlord is claiming a total of \$1378.85 in unpaid rent and damages comprised of the followings.

July outstanding rent	\$311.45
August rent	\$850.00
Cleaning	\$ 37.50
Late fees for July and August	\$ 50.00
Carpet Cleaning	\$105.00
Laundry room key	\$ 25.00

The landlord submitted a move-out inspection report dated August 15, 2008. She said

that the tenant refused to participate in such an inspection despite the landlord's request on two occasions. In support of her claim, the landlord submitted 1) receipts and invoices for the cleaning and carpet cleaning and 2) a document signed by the tenant on March 14, 2008 acknowledging the tenant's receipt of one laundry room key and that the tenant would be charged \$25.00 should she fail to return this key upon move out. I note that clause 42 of the tenancy agreement confirms the applicability of a late payment fee in this tenancy.

Based on all of the above, I find that the landlord has established a claim for \$1378.85 in unpaid rent and damages. The landlord is also entitled to recovery of the \$50.00 filing fee. I order that the landlord retain the security deposit and interest of \$435.54 in partial satisfaction of the claim and I grant the landlord an order under section 67 for the balance due of \$993.31. This order may be filed in the Small Claims Court and enforced as an order of that Court.

Dated: October 21, 2008