



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes FF, MNR, MNSD

Introduction

A substantial amount of documentary evidence, photo evidence, and written arguments has been submitted by the parties prior to the hearing. I have thoroughly reviewed all submissions.

I also gave the parties the opportunity to give their evidence orally and the parties were given the opportunity to ask questions of the other parties.

All testimony was taken under affirmation.

Issues(s) to be Decided

This is a request for a monetary order for \$1150.00. The applicant is also requesting that the respondent bear the \$50.00 cost of the filing fee paid for this dispute resolution hearing.

Background and Evidence

The applicant testified that:

- The tenants owe \$721.27 in outstanding utilities.
- The tenants also left the carpets in the rental unit very dirty and in need of cleaning and therefore the he is asking \$100.00 for the cost of cleaning the carpets



Dispute Resolution Services

Page: 2

Residential Tenancy Branch
Ministry of Housing and Social Development

- The tenants also left a large amount of garbage and old furniture behind at the end of the tenancy and the landlord is therefore also asking for \$100 for removing the garbage in furniture.

The applicant stated that he is reducing his claim to \$921.27 plus the filing fee of \$50.00 for a total of \$971.27. The applicant therefore requests an order allowing him to keep the full security deposit plus interest and that a monetary order be issued for the balance.

The respondent testified that:

- They do not dispute the claim for outstanding utilities and agree that they owe the full amount claimed.
- They do not agree with the claim for carpet cleaning as they left the carpets as clean as they were when they moved in, and that the move out inspection the landlord's agent stated that all was left clean.
- They also do not agree with the claim for removal of garbage and old furniture as the majority of the items that they left behind were when they moved into the rental unit and therefore they should not have to pay for their removal.

Analysis

Since the claim for utilities is not disputed I will allow the full claim of \$721.27 for outstanding utilities.

I will not allow the claim for carpet cleaning or garbage removal, because landlord has supplied no evidence of having paid for either of these and there is no indication on the move out inspection report that the carpets were left in any different condition than they were when the tenants moved in.



Dispute Resolution Services

Page: 3

Residential Tenancy Branch
Ministry of Housing and Social Development

Conclusion

I have issued an order for the respondent to pay the outstanding utilities of \$721.27 to the applicant. I further ordered that the respondents bear the \$ 50.00 cost of the filing fee paid for this hearing.

Total amount allowed \$771.27. I therefore order that the landlord(s) may retain the full security deposit plus interest:

\$601.92

I further Order that the Respondent(s) pay to the applicants the following amount:

\$169.35

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: September 29, 2009.

Dispute Resolution Officer