



# Dispute Resolution Services

Residential Tenancy Branch  
Office of Housing and Construction Standards  
Ministry of Housing and Social Development

## **DECISION AND REASONS**

Dispute codes: MND, MNSD, FF

### Introduction

This was an application by the landlord for a Monetary Order and an Order to retain the security deposit in partial satisfaction of the monetary claim. The hearing was conducted by conference call. The corporate landlord's representative attended and the tenant was represented by his wife. The landlord claimed the sum of \$552.83 for the cost to repair damage to the rental unit.

### Background and evidence

The tenancy began on July 1, 2007 and ran from month to month with rent in the amount of \$1,000.00 due in advance on the first day of each month. The tenant paid a security deposit of \$500.00 on June 25, 2007. The tenancy ended on September 30, 2008.

The landlord has claimed a monetary order of \$552.83 for the following:

- Install laminate to repair burn marks to wood laminate floor - \$220.50
- Repair broken door jamb, repair and paint walls \$210.00
- Replace kitchen Florescent tubes \$10.33
- Professionally steam clean carpets \$112.00

The tenant acknowledged responsibility for the burns to the floor, but she disputed the claim for repair to the door jamb; she testified that the outside door to the rental unit was ill-fitting and difficult to open from the beginning of the tenancy. The tenants spoke to the landlord on several occasions and requested that he fix the door, but nothing was done. The tenant's wife came home one day and was unable to open the door. She

sought help from a neighbour and he pushed the door open for her, but damaged the door jamb in the process.

### Analysis and conclusion

I allow the landlord's claim for floor repair in the amount of \$220.50. I agree with and accept the tenant's evidence concerning the door and the cause of the broken door jamb. I find that the tenant acted reasonably in seeking help to open the door; had the landlord fixed the door in a timely way the problems could have been avoided; I deny this portion of the landlord's claim; I allow the claim for repair and painting of walls in the amount of \$100.00. I allow the claim for florescent bulbs in the amount of \$10.33 and the claim for carpet cleaning in the amount of \$112.00. The total award comes to \$442.83. The landlord is entitled to recover the \$50.00 filing fee for this application for a total claim of \$492.83. The deposit and interest of amounts to \$511.07; I order that the landlord retain \$492.83 from the deposit and return the balance of \$18.24 to the tenant and I grant the tenant a monetary order in the said amount. This order may be filed in the Small Claims Court and enforced as an order of that Court.

Dated December 12, 2008.