

## Decision

Dispute Codes: MNDC, FF

### Introduction

This hearing dealt with an application by the landlord for a monetary order. Despite having been personally served with the application for dispute resolution and notice of hearing, the tenant did not participate in the conference call hearing.

The parties had a previous dispute resolution hearing in December 2008 at which time the landlord was granted an order of possession and a monetary order for unpaid rent for October – December inclusive, unpaid Terasen Gas bills up to November 5 and unpaid BC Hydro bills through the end of September.

### Issue(s) to be Decided

Is the landlord entitled to a monetary order as claimed?

### Background and Evidence

The landlord testified that the tenant failed to pay rent in February and further failed to pay \$39.57 of the BC Hydro bills and \$582.70 of the Terasen Gas bills which were owing at the end of the tenancy. The landlord testified that she spent \$8.62 to send documents to the tenant by registered mail. The landlord testified that the carpets were not cleaned at the end of the tenancy and presented evidence showing that the tenancy agreement required the tenant to clean the carpets and that the landlord spent \$168.00 to clean the carpets. The landlord testified that the tenant failed to return keys at the end of the tenancy and presented evidence showing that the landlord spent \$65.52 to re-key the locks. The landlord testified that the rental unit had been freshly painted at the outset of the tenancy in July 2008 and that at the end of the tenancy, the walls in the stairwell were heavily gouged, there were large black marks on the living room walls and there were scuff marks throughout the unit. The landlord presented evidence showing that the landlord spent \$300.00 to repaint the living room, stairwell and hallway. The landlord testified that the tenant did not adequately clean the rental unit at the end of the tenancy and presented evidence showing that the landlord spent \$36.00 to clean the unit. The amounts claimed by the landlord are set out in the following table.

|                 |                   |
|-----------------|-------------------|
| February rent   | \$1,200.00        |
| BC Hydro        | \$ 39.57          |
| Terasen Gas     | \$ 582.70         |
| Registered mail | \$ 8.62           |
| Carpet cleaning | \$ 168.00         |
| Re-keying locks | \$ 65.52          |
| Suite painting  | \$ 300.00         |
| Cleaning        | \$ 36.00          |
| Filing fee      | \$ 100.00         |
| <b>Total:</b>   | <b>\$2,500.41</b> |

### Analysis

I accept the landlord's undisputed testimony and find that the tenant is responsible to pay rent, hydro, gas, carpet cleaning, lock re-keying, suite painting and cleaning charges as outlined above. I dismiss the landlord's claim for registered mail costs as I am not empowered to award litigation-related expenses other than the cost of the filing fee. I grant the landlord \$50.00 of the \$100.00 filing fee paid. The landlord applied for a significantly higher amount than what was awarded as she reapplied for unpaid rent and gas bills which were awarded in the previous dispute resolution proceeding. The tenant should not be held liable for that error.

### Conclusion

I grant the landlord a monetary order for \$2,441.79. This order may be filed in the Small Claims Division of the Provincial Court and enforced as an order of that Court.

Dated November 16, 2009.