



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes FF, MND, MNDC, MNR

Introduction

Some documentary evidence, photo evidence, and written arguments have been submitted prior to the hearing. I have thoroughly reviewed all submissions.

I also gave the applicant the opportunity to testify at the hearing.

The respondent was served with notice of the hearing by registered mail that was mailed on October 9, 2009, but did not join the conference call that was set up for the hearing.

All testimony was taken under affirmation.

Issues(s) to be Decided

This is a request for a monetary order for \$1585.61. The applicants are also requesting an order that the respondent bear the \$50.00 cost of the filing fee that was paid for this hearing.

Background and Evidence

It is the applicants position that:

- The tenant vacated without proper notice and as a result they lost the full rental revenue for October 2009.
- The tenant left the rental unit dirty and in need of carpet cleaning and general cleaning.
- The tenant and left the walls marked up and in need of painting.

- The tenant left one carpet badly burned and in need of replacing.
- The tenant is responsible for a missing bifold door.
- The tenant left a hole in the wall that needed to be patched.

The applicant is therefore requesting an order as follows:

October 2009 rent	\$1000.00
Cleaning labour	\$96.00
Cleaning materials	\$19.20
Painting labour	\$210.00
Painting materials	\$73.50
Carpet replacement	\$488.25
Bifold door replacement	\$66.64
Wall repair	\$50.00
Filing fee	\$50.00
Total	\$2139.09

The applicant stated that they are holding a security deposit plus interest totalling \$507.48, and therefore they are requesting an order for the difference of \$1631.61

Analysis

Rent

I allow the landlords claim for outstanding rent for the month of October 2009, as the tenant did not give the required Notice to End Tenancy and as a result the landlord lost the full rent for that month.

Amount allowed \$1000.00

Damages and cleaning



Dispute Resolution Services

Page: 3

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It's obvious from the photo evidence supplied for the hearing that the rental unit was left in need of some cleaning and repairs and therefore I allow a portion of the landlords claim, however the landlords have sent no evidence in support of the amounts that they are claiming for the cleaning and repairs. Therefore I am only willing to allow 50% of the amount of that the landlords are claiming for cleaning and repairs.

Amount allowed \$544.54

Filing fee

I also allow the landlords claim for the \$50.00 paid for the filing fee.

Conclusion

I have issued an order for the respondent to pay \$1594.54 to the applicants.

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: February 04, 2010.

Dispute Resolution Officer