



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes FF, MND, MNDC, MNSD

Introduction

A substantial amount of documentary evidence and written arguments has 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 applicant(s) testified that the respondent was served with notice of the hearing by registered mail that was mailed on March 9, 2012; however the respondent did not join the conference call that was set up for the hearing.

All testimony was taken under affirmation.

Issue(s) to be Decided

This is a request for a monetary order for \$1745.43 and a request for recovery of the \$50.00 filing fee.

Background and Evidence

The applicant testified that:

- This tenancy ended on November 30, 2011.
- At the end of the tenancy the tenant failed to do any cleaning whatsoever and left the rental unit filthy, and as a result they had to have it professionally cleaned.
- The tenant's dog completely destroyed two carpets in the rental unit, one was badly torn, and the other badly stained with urine.

- The tenant's electricity was disconnected for non-payment and as a result they had to pay to have the electricity reconnected to the rental unit.
- The tenant's dog also chewed up and destroyed a window blind in the rental unit.
- The tenant also accrued to fines from the Strata Corp. during his tenancy for a total of \$400.00 which they, as owners of the unit, have had to pay.
- They also had to replace eight burned-out light bulbs at the end of the tenancy.
- The tenant also failed to return two key fobs to the front door of the rental unit.

The applicants are therefore requesting an order as follows:

Cleaning	\$448.00
Carpet replacement	\$951.35
Carpet installation	\$400.00
Electricity reconnection fee	\$112.00
Blind replacement	\$96.97
Strata fine for drinking by pool	\$200.00
Strata fine for loud music	\$200.00
Replace missing light bulbs	\$37.11
Replace missing key fobs	\$150.00
Filing fee	\$50.00
Subtotal	\$2645.43
Less damage deposit held	-\$550.00
Less pet deposit held	- \$300.00
Total	\$1795.43

The applicants therefore request an order allowing them to keep the full security deposit and pet deposit, and request a monetary order be issued.

Analysis

It is my finding that the landlords have established the full amount claimed except that I have reduced the amount allowed for replacing and installing the carpet by 20%, because the carpet was two years old and since carpets have a life expectancy of approximately 10 years there would be 20% depreciation from normal wear and tear.

It's obvious from the evidence presented that this rental unit was left in a filthy and damaged condition that required extensive cleaning and repairs, including replacement of the carpet and of one of the blinds.

The landlord has also provided evidence to show that the landlord was fined \$400.00 due to incidents caused by the tenant.

The landlords have also suffered a reconnection fee for the electricity which they would not have had to pay had the electricity not been disconnected for non-payment.

Conclusion

I have allowed the landlords full claim of \$2645.43 less \$270.27 for carpet depreciation, for a difference of \$2375.16. I therefore order that the landlord may retain the full combined security/pet deposits of \$850.00 and have issued a monetary order in the amount of \$1525.16.

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: May 14, 2012.

Residential Tenancy Branch