

## **Decision**

### **Dispute Codes:**

MNR, MNSD; MNDC; FF

### **Introduction**

This is the Landlord's application for a Monetary Order for unpaid rent and compensation for damage or loss; to retain the security deposit in satisfaction of a monetary claim for damages and unpaid rent; and to recover the cost of the filing fee from the Tenant.

The parties gave affirmed testimony and the Hearing proceeded on its merits.

### **Issues to be Decided**

- Is the Landlord entitled to a Monetary Order for unpaid rent and compensation for the cost of reconnecting the gas to the rental unit?

### **Background and Evidence**

The parties agreed to the following facts:

This tenancy began on September 1, 2005. The Tenants paid a security deposit in the amount of \$600.00 on August 11, 2005. Rent was \$1,200.00 per month, with a reduction in rent of \$150.00 per month if the Tenants provided weekly lawn cutting and yard maintenance. The Tenants provided these services, and paid \$1,050.00 per month in rent. A copy of the tenancy agreement was entered in evidence.

The Tenants disconnected the gas to the rental unit in February, 2009, without the Landlord's knowledge or consent. The Tenants did not reconnect the gas before moving out of the rental unit on September 30, 2009. It cost the Landlord \$57.75 to reconnect the gas. A copy of the gas bill was submitted in evidence.

At the end of the tenancy, the Tenants owed the Landlord \$1,630.00 in unpaid rent. On October 16, 2009, the Tenants paid the Landlord \$460.00 towards the arrears, leaving a balance owing of \$1,170.00 in unpaid rent.

### **Analysis**

There was no disagreement between the Tenant and the Landlord with respect to the amount of outstanding rent owing, and the Tenant agreed that the Landlord was entitled to compensation for the cost of re-connecting gas to the rental unit.

The Landlord has been successful in her application and is entitled to recover the cost of the filing fee from the Tenant.

Interest has accrued on the security deposit in the amount of \$21.75. Pursuant to the provisions of Section 72 of the Act, the Landlord may apply the security deposit and accrued interest towards partial satisfaction of her monetary claim.

Based on the testimony of both parties, the Landlord has established a monetary claim as follows:

Recovery of the filing fee	\$50.00
Rent owed to the Landlord	\$1,170.00
Cost to reconnect the gas	\$57.75
Less security deposit and interest	<u>-\$621.75</u>
TOTAL after set-off	\$656.00

### **Conclusion**

I hereby grant the Landlord a Monetary Order in the amount of \$656.00 against the Tenants. This Order must be served on the Tenants and may be filed in the Provincial Court of British Columbia (Small Claims) and enforced as an Order of that Court.

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: April 12, 2010