



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNR, MNSD, MNDC, FF

Introduction

This hearing dealt with an application by the landlord for a monetary order and an order permitting retention of the security deposit in partial satisfaction of the claim. Although served with the Application for Dispute Resolution and Notice of Hearing by personal service on June 24, 2013, the tenants did not appear.

Issue(s) to be Decided

Is the landlord entitled to a monetary order and, if so, in what amount?

Background and Evidence

This month-to-month tenancy commenced October 1, 2013. The monthly rent of \$900.00 was due on the first day of the month. The tenants were also responsible for the hydro and natural gas bills. The tenants paid a security deposit of \$400.00.

The landlord served the tenants with a 2 Month Notice to End Tenancy for Landlord's Use with an effective date of May 31, 2013. The tenants moved out of the rental unit in compliance with the notice. Pursuant to section 51(1) of the *Residential Tenancy Act* the tenants were not required to pay the May rent.

The landlord testified that for the period of October 1, 2012, to April 30, 2013, he received irregular rent payments that totalled \$4450.00, leaving arrears of rent in the amount of \$1850.00.

The landlord submitted evidence that showed the tenants had not paid the BC Hydro bills for the period November 21, 2013 to May 21, 2013 in a total amount of \$811.60.

The landlord testified that the tenants should be credited with \$250.00 for the dishwasher which they left in the rental unit.

The tenants have never provided their forwarding address to the landlord in writing.

Analysis

I find that the landlord has established a total monetary claim of \$2461.60 comprised of arrears of rent in the amount of \$1850.00, unpaid hydro bills in the amount of \$811.60 and the \$50.00 fee paid by the landlord for this application, less \$250.00 credit for the dishwasher. I order that the landlord retain the deposit of \$400.00 in partial satisfaction of the claim and I grant the landlord an order under section 67 for the balance due of \$2061.60.

As explained to the landlord in the hearing if he has a claim against the tenants for cleaning, damages or garbage removal, he may file another application for dispute resolution on those issues.

Conclusion

A monetary order in favour of the landlord has been made. If necessary this order may be filed in the Small Claims Court 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: August 21, 2013

Residential Tenancy Branch

