

## **DECISION**

**Dispute Codes:** OPR, MNR, FF

This hearing dealt with an application by the landlord for an order of possession and a monetary order. Despite having been served with the application for dispute resolution and notice of hearing by registered mail on January 2, 2009, the tenants did not participate in the conference call hearing.

At the outset of the hearing, the landlord said that on December 27, she went to check on the rental unit and found the tenants to have moved out. The landlord was therefore withdrawing her application for an order of possession.

On October 1, 2008, the landlord collected a security deposit from the tenants in the amount of \$900.00. The tenancy began on September 1, 2008. Rent in the amount of \$1800.00 was payable in advance on the first day of each month. The tenants failed to pay rent in the months of November and December and on December 9, the landlord served the tenants with a notice to end tenancy for non-payment of rent.

The landlord is seeking recovery of outstanding rent of \$200.00 for November and \$1800.00 for December. The landlord is also seeking recovery of outstanding utility charges for the period from September 1 to December 17 for the amount of \$793.76. The landlord explained that at the start of the tenancy, the tenants were unable to obtain service from Terasen Gas due to their credit history. Therefore, the Terasen Gas account has been under the landlord's name. The landlord added that the tenants were to reimburse her for the Terasen Gas charges as stipulated by the tenancy agreement. Furthermore, she had already given copy of billings for these utility charges to the tenants.

Based on the above, I find that the landlord has established a claim for \$2000.00 in unpaid rent and \$793.76 in utility charges. The landlord is also entitled to recovery of the \$50.00 filing fee. I grant the landlord an order under section 67

for the balance due of \$2843.76. This order may be filed in the Small Claims Court and enforced as an order of that Court.

Dated January 29, 2009.