



# Dispute Resolution Services

Residential Tenancy Branch  
Office of Housing and Construction Standards  
Ministry of Housing and Social Development

## Decision

Dispute Codes: MNDC, FF

### Introduction

This hearing dealt with an application by the landlord for a monetary order. Despite having been personally served with the application for dispute resolution and notice of hearing on or about January 8, the tenant did not participate in the conference call hearing.

### Issue(s) to be Decided

Is the landlord entitled to recover strata fines assessed against the rental unit?

### Background and Evidence

The landlord testified that the tenant signed a tenancy agreement for a rental unit which is part of a strata. The tenant received a copy of the strata bylaws at the time the tenancy began and agreed to abide by the bylaws. The bylaws contain a provision whereby a fine may be assessed if units leave Christmas lights up between January 16 and November 30. The landlord testified that the tenant left her Christmas lights up during that time period in 2008 and a \$300.00 fine was assessed against the property. The landlord was able to negotiate with the Strata Council and the fine was reduced to \$150.00. Despite repeated requests for payment, the tenant has not paid the fine.

### Analysis

I accept the landlord's undisputed testimony and I find that the tenant is liable for the amount of the fine. The landlord is also entitled to recovery of the \$50.00 filing fee and I grant the landlord an order under section 67 for \$200.00. This order may be filed in the Small Claims Court and enforced as an order of that Court.

The tenant is reminded that failure to comply with an order of the director may give the landlord cause to end the tenancy pursuant to section 47(1)(l) of the Act.

Conclusion

The landlord is granted an order for \$200.00.

Dated March 06, 2009.