



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Housing and Social Development

## **DECISION**

### Dispute Codes:

OPR, FF

### Introduction

This hearing was scheduled in response to the Landlord's Application for Dispute Resolution, in which the Landlord has made application for a monetary Order for unpaid utilities and to recover the filing fee from the Tenant for the cost of this Application for Dispute Resolution.

Both parties were represented at the hearing. They were provided with the opportunity to submit documentary evidence prior to this hearing, all of which has been reviewed, to present relevant oral evidence, to ask relevant questions, and to make relevant submissions to me.

### Issue(s) to be Decided

The issues to be decided are whether the Landlord is to a monetary Order for unpaid utilities and to recover the fee for filing the Application for Dispute Resolution, pursuant to sections 67 and 72 of the *Residential Tenancy Act (Act)*.

### Background and Evidence

The Landlord is claiming compensation, in the amount of \$786.58, in unpaid utilities and hydro that were incurred during this three-month tenancy.

After considerable discussion about the amount of the utility bills and the percentage of the bills that the Tenants should pay, the parties indicated that they wished to mutually agree to a settlement in this dispute.

The Landlord and the Tenant agreed that the Tenant will pay a total of \$338.37 in settlement of any and all matters relating to this tenancy, including the payment of any outstanding utility bills. The parties agreed that the Tenants will repay this debt at a rate of \$40.00 per month for eight months, with one final payment of \$18.37.



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The Landlord and the Tenant agree that neither party will file an Application for Dispute Resolution for any other matters relating to this tenancy.

## Conclusion

On the basis of the settlement reached by the two parties I am issuing a monetary Order which requires the Tenant to pay \$338.37 to the Landlord. In the event that the Tenant does not comply with the agreement to pay \$40.00 per month to the Landlord for eight months plus one final payment of \$18.37, this Order may be filed with the Province of British Columbia Small Claims Court and enforced as an Order of that Court.

This Order may only be filed if the Tenant misses any of the following payments:

- August 01, 2009 - \$40.00
- September 01, 2009 - \$40.00
- October 01, 2009 - \$40.00
- November 01, 2009 - \$40.00
- December 01, 2009 - \$40.00
- January 01, 2010 - \$40.00
- February 01, 2010 - \$40.00
- March 01, 2010 - \$40.00
- April 01, 2010 - \$18.37

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: July 07, 2009.

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Dispute Resolution Officer