



Dispute Resolution Services

Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes MNR, FF

Introduction

This hearing dealt with an application by the landlords for a monetary order. The landlords presented evidence showing that they served the tenants with the application for dispute resolution and notice of hearing (the “Hearing Documents”) by registered mail. The landlords also submitted a copy of the Canada Post tracking information showing that the tenant M.D. received the Hearing Documents on October 24, 2009. The Hearing Documents were refused by the tenant R.Y.. I am satisfied that the Hearing Documents were properly served on the tenants. The tenants cannot avoid service of documents by refusing to accept registered mail. The hearing proceeded in the tenants’ absence.

Issues(s) to be Decided

Are the landlords entitled to a monetary order for unpaid utilities?

Background and Evidence

The landlords’ undisputed evidence is as follows. The tenancy began on September 1, 2007. Pursuant to the written tenancy agreement, the tenants were required to pay for utilities, which included water, sewer and garbage collection. The landlords entered into evidence documents showing that \$164.83 in arrears for 2007 was added to their 2008 property tax bill and \$596.04 in arrears for 2008 was added to their 2009 property tax bill. The landlords testified that they also paid \$17.86 in interest for the arrears and that

when the tenants vacated the rental unit at the end of October 2009 they left arrears of \$592.96 which the landlord has also paid.

Analysis

I accept the landlords' undisputed testimony. I find that the tenants were obligated to pay for water, sewer and garbage collection throughout the tenancy and failed to do so. I find that the landlords are entitled to recover the unpaid utilities, interest and the filing fee paid to bring this application and I award the landlords \$1,421.69.

Conclusion

The landlords are granted a monetary order under section 67 for \$1,421.69. This order may be filed in the Small Claims Division of the Provincial Court and enforced as an order of that Court.

Dated: January 07, 2010
