



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes MNR, FF, SS

Introduction

This hearing dealt with the landlord's Application for Dispute Resolution to serve documents or evidence in a different way than required under the *Residential Tenancy Act (Act)* and for a monetary order.

The hearing was conducted via teleconference and was attended by the landlord only. The tenant did not attend.

Issues(s) to be Decided

The issues to be decided are whether the landlord is entitled to a monetary order for utilities; for an order to serve documents and evidence in a different way than required under the *Act*; and to recover the filing fee from the tenant for the cost of the Application for Dispute Resolution, pursuant to sections 67, 71, and 72 of the *Residential Tenancy Act (Act)*.

Background and Evidence

The tenancy began on July 1, 2009 as a month to month tenancy for a monthly rent of \$750.00 due on the 1st of the month, the tenancy ended on March 15, 2010. The landlord testified that he had obtained a previous order at the end of the tenancy granted \$304.46 towards hydro but has since received the final hydro bill for the tenancy that he has submitted into evidence showing an outstanding balance of 623.85.

The landlord testified that he served the tenant via registered mail on April 21, 2010 with notice of this hearing. He further stated that he served the documents to the forwarding address provided by the tenant at the end of her tenancy.

The landlord sought to serve the documents to the tenant's mother at a different address as he was concerned the tenant may not have moved into permanent or stable living accommodation when she provided the forwarding address. The landlord also testified that while he had not confirmed the tracking of the documents they were not returned to the landlord at any time.

Analysis

Based on the landlord's testimony, I am satisfied the tenant was served in accordance with Section 89 of the Act and find the landlord is not required to serve the tenant by an alternate method or at any alternate location. I therefore dismiss this portion of the landlord's Application.

From the evidence and testimony submitted I find the tenant is responsible for these additional hydro charges.

Conclusion

I find that the landlord is entitled to monetary compensation pursuant to Section 67 and grant a monetary order in the amount of **\$369.39** comprised of \$319.39 hydro owed and the \$50.00 fee paid by the landlord for this application.

This order must be served on the tenant and may be filed in the Provincial Court (Small Claims) 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: September 02, 2010.

Dispute Resolution Officer