



Dispute Resolution Services

Residential Tenancy Branch
Ministry of Public Safety and Solicitor General

DECISION

Dispute Codes OPR, MNR, FF

Introduction

This hearing dealt with an application by the landlord for an order of possession, a monetary order and an order to retain the security deposit in partial satisfaction of the claim. Despite having been served with the application for dispute resolution and notice of hearing by registered mail on March 16, the tenant did not participate in the conference call hearing.

At the hearing the landlord's agent advised that he wished to withdraw the claim for an order of possession and for loss of income for April as the tenant vacated the rental unit at the end of March.

Issue to be Decided

Is the landlord entitled to a monetary order as claimed?

Background and Evidence

The landlord's undisputed testimony is as follows. The tenancy began in mid-May 2010. The rent was originally set at \$1,150.00 per month, but when the tenant no longer had a pet, the landlord reduced the rent to \$1,100.00 per month. The parties agreed that the tenant could move into the unit 10 days early and that the tenant would pay \$370.96 for that period. The tenant did not make that payment.

The tenancy agreement provides that the tenant must pay 50% of the utilities for the residential property. The landlord testified that the tenant failed to pay \$60.47 in December, \$105.54 for natural gas in February and \$140.69 for hydro in February. The landlord further testified that the tenant failed to pay rent in March and that the tenant left items in the back yard and common area of the property which the landlord took to the landfill, incurring a \$20.00 charge.

Analysis

I accept the landlord's undisputed testimony and I find that the tenant failed to pay rent in the month of March. I award the landlord \$1,100.00. I find that the tenant was obligated to pay \$370.96 for the 10 days in May that she occupied the rental unit and I

award the landlord that sum. I further find that the tenant owes and has failed to pay \$306.70 in utility bills for the months of December and February and I award the landlord that sum. I further find that the landlord is entitled to recover the \$20.00 dump fee and the \$50.00 filing fee paid to bring this application and I award the landlord \$70.00 for a total entitlement of 1,847.66. I grant the landlord an order under section 67 for that sum. This order may be filed in the Small Claims Division of the Provincial Court and enforced as an order of that Court.

Conclusion

The landlord is granted a monetary order for \$1,847.66.

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: April 05, 2011

Residential Tenancy Branch