

DECISION

Dispute Codes MND, MND, FF

Introduction

This hearing dealt with the landlords' application pursuant to the *Residential Tenancy Act* (the *Act*) for:

- a monetary order for unpaid utilities pursuant to section 67;
- a monetary order for damage to the rental unit pursuant to section 67; and
- authorization to recover their filing fee for this application from the tenants pursuant to section 72.

The tenants did not attend this hearing, although I waited until 11:17 a.m. in order to enable the tenants to connect with this hearing. The landlords attended the hearing and were given a full opportunity to be heard, to present evidence and to make submissions. The landlords entered written evidence, signed and witnessed by a person at the tenants' rental unit, that the landlords handed a 10 Day Notice to End Tenancy for Unpaid Rent to a person at the tenants' rental unit on March 2, 2011. The landlords entered oral and written evidence that they served the tenants with a copy of their application for dispute resolution by registered mail on July 6, 2011. They provided Canada Post Tracking Numbers and a Canada Post search of delivery records to confirm this mailing and to confirm that this package was delivered on July 8, 2011. I am satisfied that the landlords served these documents to the tenants in accordance with the *Act*.

Issues(s) to be Decided

Are the landlords entitled to a monetary award for unpaid utilities? Are the landlords entitled to a monetary award for damage arising out of this tenancy? Are the landlords entitled to recover their filing fee for this application from the tenants?

Background and Evidence

This one-year fixed term tenancy commenced on October 25, 2010. Monthly rent was set at \$2,100.00, payable in advance on the first. The tenants were also responsible for payment of heat and hydro for this rental unit. Although the tenants paid a \$1,050.00 security deposit on October 18, 2010, the male landlord (the landlord) testified that they applied for dispute resolution earlier this year and were issued a decision and order by another Dispute Resolution Officer (DRO) on May 30, 2011 enabling them to keep the tenants' security deposit in partial satisfaction of their application for a monetary award for unpaid rent.

The landlord testified that the tenants abandoned the rental unit by March 31, 2011.

The landlord said that the landlords' present application for a monetary award of \$2,002.37 was for unpaid utilities and damage that occurred after they filed their previous application for a monetary award. He said that the utility bills were not received until after they filed their previous application. The landlords submitted a monetary order worksheet requesting a monetary award for the following items:

Item	Amount
Unpaid BC Hydro Utility Bill (pro-rated amount for period from Feb 10, 2011 to March 31, 2011)	\$139.41
Door Locks Rekeying and Resetting	212.68
Junk Removal	710.08
Repair of Bathroom Wall Damage	392.00
House Cleaning (including carpets)	548.20
Total Monetary Award Requested	\$2,002.37

The landlords entered into written evidence copies of their receipts for each of the above expenses they incurred that arose out of this tenancy. The landlords also entered into written evidence a copy of the joint move-in inspection report of October 25, 2010 and photographs of the condition of the rental unit after the tenants vacated the rental unit. The landlords did not conduct a joint move-out condition inspection because they maintained that the tenants did not attend at the scheduled time for this inspection. The landlord testified that he attempted several times to call the tenants and arrange for a joint move-out inspection after the tenants abandoned the rental unit. He testified that the tenants abandoned the rental unit by March 31, 2011 without providing their keys or a forwarding address.

Analysis

I have reviewed the previous decision and order issued on May 30, 2011. I am satisfied that the landlords' current application for dispute resolution does not overlap the issues considered by the previous DRO in her consideration of this tenancy. As such, the landlords' current application is properly before me.

I have reviewed each of the landlords' invoices, and the documents and photographs they submitted prior to this hearing. I am satisfied that each of their claims has merit. Based on the undisputed evidence submitted by the landlords and the landlord's oral testimony, I find that the landlords have substantiated their claim for a monetary award for unpaid utilities and damage arising out of this tenancy. I find that the landlords are entitled to a monetary award for each of the items submitted in their claim as set out above.

Since the landlords have been successful in their application, I allow the landlords to recover their filing fee for their application from the tenants.

Conclusion

I issue a monetary Order in the landlords' favour in the following terms which allows the landlords to recover unpaid utilities, damage that arose during this tenancy, and their filing fee for this application.

Item	Amount
Unpaid BC Hydro Utility Bill (pro-rated amount for period from Feb 10, 2011 to March 31, 2011)	\$139.41
Door Locks Rekeying and Resetting	212.68
Junk Removal	710.08
Repair of Bathroom Wall Damage	392.00
House Cleaning (including carpets)	548.20
Filing Fee	50.00
Total Monetary Order	\$2,052.37

The landlords are provided with these Orders in the above terms and the tenant(s) must be served with a copy of these Orders as soon as possible. Should the tenant(s) fail to comply with these Orders, these Orders may be filed in the Small Claims Division of the Provincial Court and enforced as Orders 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*.