



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute codes OP MNR MNSD FF

Introduction

This hearing dealt with an application by the landlord for an order for possession, a monetary order and an order allowing retention of the security deposit in partial satisfaction of the claim. Although served with the Application for Dispute Resolution and Notice of Hearing sent by registered mail the tenant did not appear.

At the outset of the hearing, the landlord withdrew its request for an order of possession.

Issues

Is the landlord entitled to the requested orders?

Background, Evidence & Analysis

This tenancy began on July 1, 2010. The rent is \$925.00 due in advance on the first day of each month. A security deposit of \$462.50 was paid at the start of the tenancy. On September 8, 2011 the tenant was served with a Notice to End Tenancy for non-payment of rent. The tenant did not pay the outstanding rent and did not file an application to dispute the Notice within the required time frame. However, the tenant did subsequently pay all rent arrears and a portion of the utilities leaving a balance of \$338.82 owing for utilities. The landlord provided copies of the utility bills. Accordingly, I am satisfied that the landlord is entitled to a monetary order for the outstanding utilities.

Conclusion

I find that the landlord has established a total monetary claim of \$388.82 comprised of unpaid utilities in the amount of \$338.82 and the \$50.00 fee paid by the landlord for this application. Accordingly, I order that the tenant pay to the landlord the sum of \$388.82. This order may be filed in the Small Claims Court and enforced as an order of that Court. The landlord may retain this amount from the security deposit if the amount is still outstanding at the end of the tenancy

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*.