



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNR, FF

Introduction

This hearing dealt with an Application for Dispute Resolution by the landlord for a monetary order for unpaid rent and unpaid utilities.

Although served with the Application for Dispute Resolution and Notice of Hearing in person on February 8, 2012, the tenants did not appear. I find that the tenants have been duly served in accordance with the Act.

The landlord appeared, gave affirmed testimony and was provided the opportunity to present their evidence orally and in written and documentary form, and to make submissions to me.

Issue(s) to be Decided

Is the landlord entitled to a monetary order for unpaid rent and utilities?

Background and Evidence

The tenancy began on October 18, 2012. Rent in the amount of \$750.00 was payable on the first of each month. A security deposit of \$337.50 was paid by the tenants. The tenancy ended on January 31, 2012.

The landlord testified the tenants' cheque for January 2012, rent was returned for insufficient funds and the tenants have made no effort to pay the outstanding rent owed. Filed in evidence is a copy of the tenants' returned cheque.

The landlord further testified the tenants did not pay their electrical bill. The landlord states the utility account was in the name of the tenants, however, in their city any outstanding utility owed to the city is transferred to the owner's property tax at year end. The landlord states he paid the amount of \$185.77. Filed in evidence are letters from the city regarding unpaid utilities.

Analysis

Based on the above, the testimony and evidence, and on a balance of probabilities, I find as follows:

The evidence of the landlord was the tenants rent cheque for January 2012, was returned for insufficient funds. The documentary evidence supports the landlord's claim that the cheque was returned for insufficient funds. Therefore, I find the landlord is entitled to compensation for January 2012, unpaid rent in the amount of **\$750.00**.

The evidence of the landlord was the tenants did not pay their electrical account at the end of tenancy and that amount would be transferred to the landlord's property tax if left unpaid. The documentary evidence states "At year-end, unpaid accounts will be transferred to the tax account of the property where the consumption took place, whether the account is in the owner's name or in a tenant's name. [Reproduced as written] Therefore, I find the landlord is entitled to compensation for unpaid utilities in the amount of **\$185.77**.

I find that the landlord has established a total monetary claim of **\$985.77** comprised of rent, utilities and the \$50.00 fee paid by the landlord for this application.

This order may be filed in the Provincial Court (Small Claims) and enforced as an order of that court.

Conclusion

The landlord is granted a monetary order for unpaid rent and utilities.

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 10, 2012.

Residential Tenancy Branch