



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes FF, MNR, MNSD, OPR

Introduction

Some documentary evidence and written arguments has been submitted prior to the hearing. I have thoroughly reviewed all submissions.

I also gave the applicant the opportunity to testify at the hearing.

The applicant(s) testified that the respondent(s) were served with notice of the hearing by registered mail that was mailed on June 6, 2012, however the respondent(s) did not join the conference call that was set up for the hearing.

All testimony was taken under affirmation.

Issue(s) to be Decided

This is a request for an Order of Possession based on a Notice to End Tenancy for non-payment of the utilities, a request for a monetary order for \$2547.23 and a request for recovery of the \$50.00 filing fee.

Background and Evidence

The applicant testified that:

- In the tenancy agreement the tenants are required to pay all utilities, and at first they did, however they stopped paying utilities and therefore a written demand for the outstanding utilities was given to the tenants on March 21, 2012.
- The tenants failed to comply with the request and therefore on May 28, 2012 a 10 day Notice to End Tenancy was served on the tenants.
- The tenants have not complied with that Notice to End Tenancy, have not paid the outstanding utilities, and now they have also failed to pay the full June 2012 rent.

The applicants are therefore requesting an Order of Possession for as soon as possible and a monetary order as follows:

Outstanding utilities to the end of June 2012	\$1622.23
June 2012 rent outstanding	\$925.00
Filing fee	\$50.00
Total	\$2597.23

Analysis

The landlord has provided evidence to show that there are utilities outstanding totalling \$1467.23 to the end of May 2012, and has provided a reasonable estimate for June 2012 utilities, and therefore I allow the landlords full claim for outstanding utilities.

The landlord has also shown that the full rent for June 2012 is still outstanding and therefore I allow the landlords claim for that outstanding rent.

I also allow the request for recovery of the filing fee.

Conclusion

I have allowed the landlords full claim of \$2597.23 and I therefore order that the landlords may retain the full security deposit of \$462.50 and I have issued a monetary order in the amount of \$2084.73.

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: June 28, 2012.

Residential Tenancy Branch