



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD, MNR, FF

Introduction

A substantial amount of documentary evidence, photo 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 testified that the respondent(s) were served with notice of the hearing by registered mail that was mailed on April 24, 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 a monetary order for \$8,155.03, a request for recovery of the \$100.00 filing fee, and a request to retain the full security deposit of \$1250.00 towards the claim.

Background and Evidence

The applicant testified that:

- Rent for this rental unit was \$2500.00 per month.
- The tenancy began on August 15, 2010 and the tenants vacated the rental unit on February 1, 2012.
- The tenants failed to pay their rent for the last two months of the tenancy, December 2011 and January 2012.
- The tenants were also required to pay 60% of the utilities; however they stop paying the utilities in early 2011 and as a result at the end of the tenancy there was a total of \$3155.03 in outstanding utilities.

The applicants are therefore requesting an order as follows:

December 2011 rent outstanding	\$2500.00
January 2012 rent outstanding	\$2500.00
Utilities outstanding	\$3155.03
Filing fee	\$100.00
Total	\$8255.03

Analysis

It is my finding that the landlord has shown that there is two months' rent outstanding totalling \$5,000.00 and therefore I allow that portion of the claim.

It is also my finding that the tenants were to have paid 60% of the utilities at the rental property.

The landlord has also established that the tenants have failed to pay a total of \$3155.03 in utilities during the term of a tenancy and I therefore allow that portion of the claim.

I also allow the request for recovery of the \$100.00 filing fee.

Conclusion

I have allowed the landlords full claim of \$8,255.03 and I therefore order that the landlords may retain the full security deposit of \$1250.00 and have issued a monetary order in the amount of \$7,005.03.

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 14, 2012.

Residential Tenancy Branch