



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

**Dispute Codes**      MNR, MNSD, FF

### **Introduction**

This Hearing dealt with the Landlord's Application for Dispute Resolution seeking Monetary Order for unpaid rent and utilities; to apply the security deposit towards partial satisfaction of his monetary award and to recover the cost of the filing fee from the Tenant.

The Hearing was conducted via teleconference and was attended by both parties.

### **Issue(s) to be Decided**

- Is the Landlord entitled to a monetary award for unpaid rent for the month of May, 2012, and loss of revenue for June 1 – 15, 2012?
- Is the Landlord entitled to a monetary award for unpaid utilities?
- May the Landlord retain the security deposit in support of his monetary award?

### **Background and Evidence**

During the hearing the parties came to the following settlement:

1. The Landlord withdraws the Application for Dispute Resolution;
2. The Tenant agrees to pay rent owed (\$1,450.00) for the month of May 2012 and compensation in the amount of \$725.00 for the Landlord's loss of revenue from June 1 – 15, 2012.
3. The Tenant will pay 85% of the \$67.68 water bill for the period of April 27, 2012 to June 13, 2012 (\$57.53)
4. With the exception of the water bill noted above, the Landlord will reimburse the Tenant for 15% of the cost of all utility bills over the period of the tenancy.
5. The Landlord will apply the \$525.00 security deposit towards the amount that the Tenant owes.

**At the time of the Hearing, the parties were not certain exactly how much 15% of the utility bills amounted to and agreed that once the amount was determined, it would also be set off against the balance that the Tenant owes the Landlord.**

The balance that the Tenant owes after setting off the security deposit, but before setting off the reimbursement of utility charges, is **\$1,707.53** (\$1,450.00 + \$725.00 + \$57.53 - \$525.00).

**Conclusion**

In support of this settlement and with the agreement of both parties I grant the Landlord Monetary Order in the amount of **\$1,707.53**. This Order may be filed in the Provincial Court (Small Claims) and may be enforced as an order 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*.

Dated: July 30, 2012.

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Residential Tenancy Branch