



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

Decision

Dispute Codes: OPR, MNR, MNDC

Introduction

This hearing dealt with an Application for Dispute Resolution by the landlord for an Order of Possession and a monetary order for rent owed. The landlord was also claiming reimbursement for gas utilities owed when the tenancy ended.

Despite being served by registered mail sent on December 19, 2012, the respondent did not appear.

At the outset of the hearing the landlord advised that the last co-tenant had vacated on January 13, 2013. Therefore an Order of Possession is no longer being sought.

Issue(s) to be Decided

Is the landlord entitled to monetary compensation for rental arrears and gas utilities?

Background and Evidence

The tenancy began in September 2012 and rent was set at \$1,200.00 plus 2/3 of utilities. A security deposit of \$600.00 was paid.

A copy of the Ten Day Notice to End Tenancy for Unpaid Rent, proof of service, copies of invoices for gas and a copy of the tenancy agreement were submitted into evidence.

The landlord testified that the tenant fell into arrears for \$840.00 rent for the month of December and also owes \$464.52 for a portion of January 2013.

The landlord testified that the tenant also owes a total of \$267.61 for gas usage during the tenancy and this is being claimed. The landlord testified that the tenant is in arrears for the hydro, but this is not part of the claim being heard today because they are awaiting the final invoice and will be claiming compensation in a future application.

The landlord is seeking \$1,304.52 in rent, and reimbursement for gas usage in the amount of \$267.61.

Given the above, I find that the landlord has established a total monetary claim of \$1,622.13, comprised of rental arrears and utility charges and the \$50.00 cost of the

application. I order that the landlord retain the security deposit of \$600.00 in partial satisfaction of the claim leaving a balance due of \$1,022.13.

Conclusion

I hereby grant the Landlord an order under section 67 for \$1,022.13. This order must be served on the Respondent and may be filed in the Provincial Court (Small Claims) and 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: January 21, 2013

Residential Tenancy Branch

