



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## CLARIFICATION OF DECISION

The applicants have requested clarification of a decision I issued on July 22, 2013 and in their application they state the following:

***“The clarification is needed because: Section 9.1(1) is not the issue, the utilities are what the tenant used. Hydro, heat, cable, phone, water. All in my husband's name.”***

The applicants are correct, Section 9.1(1) is not the issue, Section 9.1(1) is the section of the act that gives me, the Arbitrator, the authority to act as an Arbitrator in this matter and has nothing to do with the actual decision that I made.

I fully understood, during the hearing, that the utilities were an issue that was being brought forward by the applicant's, however as I stated in my decision the applicant's failed to provide any supporting evidence to establish the amount of outstanding utilities and I was not willing to issue any order for outstanding utilities in the absence of any supporting evidence.

Had the respondent attended the original hearing, the application for outstanding utilities would have been dismissed without leave to reapply, however since the respondent did not attend the original hearing I was willing to dismiss that portion of the claim with leave to reapply.

Therefore, if the applicant's still wish to pursue the claim for outstanding utilities they are free to do so.

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Residential Tenancy Branch

