



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      MNR, OPR, FF

### Introduction

This was a hearing with respect to the landlords' application for a monetary order and an order for possession. The hearing was conducted by conference call. The landlords called in and participated in the hearing. The tenants did not attend, although they were personally served with the application for dispute resolution and Notice of Hearing on September 22, 2013. Since the application was served on the tenants they have moved out of the rental unit and an order for possession is no longer required.

### Issue(s) to be Decided

Are the landlords entitled to a monetary award and if so, in what amount?

### Background and Evidence

The rental unit is one unit of a fourplex in Vernon. The tenancy began on August 2, 2012. Monthly rent was \$900.00, not including utilities, payable on the first of each month. The tenants paid a \$450.00 security deposit and a \$450.00 pet deposit at the beginning of the tenancy. The tenants did not pay rent for September and on September 7, 2013 the landlords served the tenants with a 10 day Notice to End Tenancy for unpaid rent by posting it to the door of the rental unit. The tenants did not apply to dispute the Notice to End Tenancy. They moved out sometime after September 22, 2013, without providing the landlord with a forwarding address. The landlords do not know the current whereabouts of the tenants. The landlords sought to amend their claim to include additional damages, including loss of revenue for October, but they have been unsuccessful in serving the tenants with notice of the amended application for dispute resolution.

The tenants were responsible for paying all utilities for the rental unit. The landlords have given the tenants copies of the bills for municipal water, sewer and garbage

charges, but the tenants have neglected or refused to reimburse the landlords for these charges. The water, sewer and garbage charges are billed quarterly; the tenants have never paid these bills although they were given copies of each bill. The total of the charges outstanding for the duration of the tenancy is the sum of \$997.33.

Analysis and Conclusion

The tenants failed to pay September's rent in the amount of \$900.00. They failed to pay municipal utilities for the rental unit in the amount of \$997.33. I find that the landlords are entitled to a monetary award for September rent and utilities in the amount of \$1,897.33. The landlords are entitled to recover the \$50.00 filing fee for their application for a total award of \$1,947.33. I order that the landlords retain the security and pet deposits totalling \$900.00 in partial satisfaction of this award and I grant the landlords an order under section 67 for the balance of \$1,047.33. This order may be registered in the Small Claims Court and enforced as an order of that court.

The landlords have leave to apply for a further monetary award for loss of revenue for October and for any cleaning and repair costs that may have been incurred.

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: November 8, 2013

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Residential Tenancy Branch

