



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      OPR, MNR, MDSD & FF

### Introduction

A hearing was conducted by conference call in the presence of the landlords and in the absence of the tenants although duly served. On the basis of the solemnly affirmed evidence presented at that hearing, a decision has been reached. All of the evidence was carefully considered.

I find that the Application for Dispute Resolution/Notice of Hearing filed by the landlord was sufficiently served on the tenants by mailing, by registered mail to where they reside on January 9, 2014. With respect to each of the applicant's claims I find as follows:

### Issue(s) to be Decided

The issues to be decided are as follows:

- a. Whether the tenants are entitled to a monetary order and if how much?
- b. Whether the tenant are entitled to recover the cost of the filing fee?
- c. Whether the landlord is entitled to an Order for Possession?
- d. Whether the landlord is entitled to A Monetary Order and if so how much?
- e. Whether the landlord is entitled to retain all or a portion of the security deposit/pet deposit?
- f. Whether the landlord is entitled to recover the cost of the filing fee?

### Background and Evidence

The parties entered into a written tenancy agreement that provided that the tenancy would start on February 1, 2013. The rent was \$1000 per month payable on the first

day of each month. The tenant(s) paid a security deposit of \$500 and a pet damage deposit of \$250 at the start of the tenancy. The tenants also agreed to pay 40% of the utilities.

The tenants failed to pay the rent for July (\$500 remains outstanding), August (\$500 remains outstanding), September (\$500 remains outstanding) and October (\$500 remains outstanding) and the sum of \$2000 remains owing. The tenancy ended on October 31, 2013.

Tenants' Claim:

The tenants failed to attend the hearing. The landlord was present and ready to proceed. The tenants failed to attend the hearing. The landlord testified that the tenants failed to provide them with the tenants forwarding address in writing. As the tenants did not appear I ordered that the tenants' application be dismissed without leave to re-apply.

Landlords' Claim - Monetary Order and Cost of Filing fee:

With respect to each of the landlords' claims I find as follows:

- a. I determined the landlords have established a claim the rent for July (\$500 remains outstanding), August (\$500 remains outstanding), September (\$500 remains outstanding) and October (\$500 remains outstanding) and the sum of \$2000 remains owing.
- b. I determined the landlords have established a claim in the sum of \$777.76 for the tenants' share of utilities (hydro and gas) for the period of February 1, 2013 to the end of October 2013.

**I granted the landlord a monetary order in the sum of \$2777.76 plus the sum of \$50 in respect of the filing fee for a total of \$2827.76.** The landlord did not apply to keep the security deposit so no order is made with respect to the security deposit.

It is further Ordered that this sum be paid forthwith. The applicant is given a formal Order in the above terms and the respondent must be served with a copy of this Order as soon as possible.

Should the respondent fail to comply with this Order, the Order may be filed in the Small Claims division of the Provincial Court and enforced as an Order of that Court.

This decision is made on authority delegated to me by the Director of the Residential

Dated: February 03, 2014

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Residential Tenancy Branch

