



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MND, MNR, MNSD, MNDC, FF

### Introduction

This hearing dealt with an application by the landlord for a monetary order. Although served with the Application for Dispute Resolution and Notice of Hearing by personal service on December 16, 2014, the tenants did not appear.

### Issue(s) to be Decided

Is the landlord entitled to a monetary order and, if so, in what amount?

### Background and Evidence

This one year fixed term tenancy agreement commenced October 1, 2013, although the tenants moved into the rental unit a few days before that. The monthly rent of \$1100.00 was due on the first day of the month. The tenants paid a security deposit of \$550.00 by cheque but that cheque was returned by their bank for insufficient funds. The tenants never did pay the security deposit.

The landlord obtained possession of the rental unit, pursuant to an order by possession on January 1, 2014. In that same hearing the landlord obtained a monetary order for the arrears of the November rent. Subsequently the tenants only paid \$100.00 towards the December rent.

As part of the initial agreement, the landlord and the male tenant, who is a carpenter, agreed that the tenant would make certain repairs to the rental unit. The landlord paid the tenant \$1200.00 in advance to cover the cost of materials and asked that the tenant provide him with the receipts for the materials. The landlord testified that he received receipts equal to \$300.00 and that the tenant did about \$300.00 worth of labour at the rental unit. He asks for return of the balance of the money advanced to the tenants.

The tenants cut down a large tree in the yard without permission from the landlord. They left the stump in place which had to be removed. The landlord filed an estimate for this work in the amount of \$300.00. He testified that the work had been done at a

cost greater than the estimated cost but he was only claiming the amount on the estimate.

The tenants were also responsible for the water bill. The unpaid water bill for this tenancy is \$67.05.

#### Analysis

I find that the landlord has established a total monetary claim of \$2107.05 comprised of arrears of rent for December, 2013 in the amount of \$1000.00; a refund for work paid for but not done in the amount of \$600.00; stump removal in the amount of \$300.00; unpaid water bill in the amount of \$67.05; and the \$50.00 fee paid by the landlord for this application; and I grant the landlord an order pursuant to section 67 in that amount.

#### Conclusion

A monetary order has been granted in favour of the landlord. If necessary, this order may be filed in the Small Claims Court 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: February 19, 2014

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Residential Tenancy Branch

