



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MNR FF

### Introduction

This hearing dealt with an application by the landlord for a monetary order.

The landlord participated in the teleconference hearing, but the tenant did not call into the hearing. The landlord submitted evidence that they personally served the tenant with the application for dispute resolution and notice of hearing on December 16, 2013. I accepted the landlord's testimony regarding service, and I proceeded with the hearing in the absence of the tenant.

### Issue(s) to be Decided

Is the landlord entitled to monetary compensation as claimed?

### Background and Evidence

The tenancy began in August 2012. The landlord stated that hydro was not included in the rent. The tenancy ended pursuant to an order of possession issued on September 5, 2013. The landlord did not provide a copy of the tenancy agreement or any evidence regarding the date that the tenant vacated the rental unit. The landlord claimed \$1149.99 in unpaid hydro. The landlord stated that the rental unit had to be heated during the winter.

The landlord included two hydro bills, one for the period of July 6, 2013 to December 28, 2013, in the amount of \$1146.99, and the other for the period of December 29, 2013 to January 31, 2014, in the amount of \$387.37. The landlord did not make an application to amend her claim.

Analysis

The landlord did not provide any evidence that the tenancy was a fixed term tenancy or that the landlord took steps to mitigate her loss by attempting to re-rent the unit as soon as possible. The landlord did not provide evidence to establish what date the tenant moved out of the rental unit. I therefore find that I cannot determine what time period the tenant would have been responsible for the hydro, and the landlord has failed to provide sufficient evidence to support her application.

As the landlord's application was not successful, she is not entitled to recovery of the \$50 filing fee for the cost of this application.

Conclusion

The landlord's application is dismissed.

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: April 7, 2014

---

Residential Tenancy Branch

