



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNR, FF

Introduction

This hearing dealt with the landlords' Application for Dispute Resolution seeking a monetary order.

The hearing was conducted via teleconference and was attended by both landlords

The landlords testified each tenant was served with the notice of hearing documents and this Application for Dispute Resolution, pursuant to Section 59(3) of the *Residential Tenancy Act (Act)* by registered mail on April 28, 2014 in accordance with Section 89. The landlords testified the tracking information from Canada Post indicates that both of the tenants received the delivery of their respective packages on April 29, 2014.

Based on the testimony of the landlords, I find that each tenant has been sufficiently served with the documents pursuant to the *Act*.

Issue(s) to be Decided

The issues to be decided are whether the landlords are entitled to a monetary order for unpaid utilities and to recover the filing fee from the tenant for the cost of the Application for Dispute Resolution, pursuant to Sections 67, and 72 of the *Act*.

Background and Evidence

The landlords submitted into evidence a copy of a tenancy agreement signed by the parties on May 31, 2013 for a 1 year fixed term tenancy beginning on August 1, 2013 for a monthly rent of \$1,375.00 due on the 1st of each month with a security deposit of \$750.00 paid. The tenancy ended on October 5, 2013, after the tenants vacated the rental unit.

The landlords submitted substantial email correspondence between the parties regarding the tenants' failure to pay outstanding utilities up to and including the end date of the tenancy.

The landlords submit the total utilities owed totaled \$625.60 and that, by agreement of both parties, the landlords deducted \$375.00 of the security deposit from this amount and the tenants have failed to pay the balance of \$250.60, despite repeated requests from the landlords. The landlords seek \$250.60.

Analysis

Based on the undisputed testimony and evidence submitted by the landlords, I find the tenants failed to pay the landlords with the total utility charges levied against the rental unit during the tenancy.

Conclusion

I find the landlords are entitled to monetary compensation pursuant to Section 67 and grant a monetary order in the amount of **\$300.60** comprised of \$250.60 utilities owed and the \$50.00 fee paid by the landlord for this application.

This order must be served on the tenants. If the tenants fail to comply with this order the landlords may file the order in the Provincial Court (Small Claims) and be 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: August 28, 2014

Residential Tenancy Branch

