



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDC, FF

Introduction

A hearing was conducted by conference call in the presence of the applicant and in the absence of the respondents 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 was personally served on the respondents on July 31, 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 tenant is entitled to a monetary order and if so how much?
- b. Whether the tenant is entitled to recover the cost of the filing fee?

Background and Evidence

The tenancy began on August 1, 2013. The tenancy agreement provided that the tenant(s) would pay rent of \$1250 per month payable on the first day of each month.

In a decision dated March 14, 2014 an arbitrator determined that electricity was included in the rent and the landlord was ordered to put the electricity into the landlord's name and to reimburse the tenant any electrical costs incurred by the tenant. The landlord failed to put the electricity into the landlords name. On June 13, 2014 the tenant received notice from the electrical supplier that the electricity would be cut off if

the electrical bill was not paid. As a result the tenant paid the sum of \$770 to pay the electrical bill to ensure the electricity was not cut off.

Analysis

I determined the tenant is entitled to recover the sum of \$770 from the landlords. It was determined in a previous arbitration that the electricity was included with the rent. The landlords were ordered to put the electrical bill in their name and to reimburse the tenant any electrical costs incurred by the tenant. The landlords failed to do so. The tenant paid the electrical bill dated June 13, 2014 to prevent the electrical service from being cut off. The tenant is entitled to recover the \$770 paid.

Monetary Order and Cost of Filing fee

I ordered the landlord(s) to pay to the tenant the sum of \$770 plus the sum of \$50 in respect of the filing fee for a total of \$820 such sum may be deducted from future rent.

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 Tenancy Branch under section 9.1(1) of the Residential Tenancy Act.

Dated: September 30, 2014

Residential Tenancy Branch

