



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNR MNDC FF

Introduction

This hearing dealt with the landlord's application for monetary compensation. The landlord and the tenant participated in the teleconference hearing.

At the outset of the hearing, each party confirmed that they had received the other party's evidence. Neither party raised any issues regarding service of the application or the evidence. Both parties were given full opportunity to give testimony and present their evidence. I have reviewed all testimony and other evidence. However, in this decision I only describe the evidence relevant to the issues and findings in this matter.

Issue(s) to be Decided

Is the landlord entitled to monetary compensation as claimed?

Background and Evidence

The tenancy ended on December 31, 2013. At that time, the tenant still owed money for an unpaid utility bill. The landlord submitted a bill for \$427.73. The bill indicated that a discount of \$42.77 was available if it was paid on or before February 28, 2014. The landlord did not pay the bill on or before the due date, and he has claimed \$427.73.

The tenant stated that he should only be responsible for the amount after the discount, \$384.96, as it was the landlord's responsibility to pay the bill on or before the due date.

Analysis

The landlord is entitled to \$384.96. The landlord is not entitled to the amount of the discount, \$42.77, as the landlord did not attempt to minimize his loss by paying the bill on or before the due date.

As the landlord's application was mostly successful, he is entitled to recovery of the \$50 filing fee for the cost of his application.

Conclusion

I grant the landlord an order under section 67 for the balance due of \$434.96. 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: October 28, 2014

Residential Tenancy Branch

