



Dispute Resolution Services

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 tenants did not appear at the conference call hearing. The landlord testified that she served the tenants with the application for dispute resolution and notice of hearing via registered mail to their home address but that the letters were returned unclaimed. I was satisfied that the tenants had been served in accordance with the requirements of the Act. The tenants cannot avoid service by refusing to collect registered letters. As they had been properly served with the hearing documents, the hearing proceeded in their absence.

Issue to be Decided

Is the landlord entitled to a monetary order as claimed?

Background and Evidence

The landlord's undisputed evidence is as follows. The tenancy began on June 1, 2012 and ended on April 3, 2013. The tenancy agreement provides that the tenants are responsible to "pay all costs and charges for electricity, heating, gas, water and all other utilities and services."

The landlord testified that the tenants failed to pay utility charges during the tenancy and after they vacated the rental unit in April 2013, the municipality added the unpaid taxes to the landlord's 2014 tax bill. The landlord calculated that the tenants' share of the amount added was \$1,054.43.

Analysis

I accept the landlords' undisputed testimony and I find that the tenants were obligated to pay utility charges during the tenancy and failed to do so. I find that the landlord is entitled to recover the utility charges from the tenants and I award them \$1,054.43. As the landlord has been successful in their claim, I find they should also recover the filing

fee paid to bring their application and I award them \$50.00 for a total award of \$1,104.43. I grant the landlord a monetary order under section 67 for this sum. This order may be filed in the Small Claims Division of the Provincial Court and enforced as an order of that Court.

Conclusion

The landlord is granted a monetary order for \$1,104.43.

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: May 06, 2015

Residential Tenancy Branch

