



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD, MNDC, FF

Introduction

This matter dealt with an application by the landlord for a Monetary Order for compensation unpaid utilities and the cost of changing the locks, to recover the filing fee for this proceeding and to keep the tenant's security deposit in partial payment of those amounts. Only the landlord's agent attended.

Issues(s) to be Decided

Is the Landlord entitled to compensation and if so, how much?

Background and Evidence

Based on the evidence of the landlord's agent JT and with reference to Canada Post's web site I find that the application for dispute resolution was served by registered mail on March 3, 2015. I find that this month-to-month tenancy started on February 1, 2015 and ended on February 14, 2015 when the Tenant moved out. Rent was \$ 1,200.00 per month payable in advance on the 1st day of each month. The tenant paid a security deposit of \$ 600.00 at the beginning of the tenancy. JT testified that pursuant to the tenancy agreement the tenant was responsible for 1/3 of the utilities. The landlord claimed that those unpaid utilities were \$ 14.00 for Hydro and \$ 35.25 for Gas. The landlord also claimed the tenant did not return the keys and it cost him \$ 45.00 to change the locks.

Analysis

I find based upon the evidence of the landlord and in absence of any evidence from the tenant that all of the items claimed by the landlord are reasonably incurred. I find that the landlord has proven a claim totalling \$ 94.25. As the landlord has been successful in this matter, I find pursuant to s. 72 of the Act that they are also entitled to recover the \$50.00 filing fee for this proceeding for a total claim of \$ 144.25. I order the landlord pursuant to s. 38(4) of the Act to retain \$ 144.25 from the tenant's security deposit and

return the balance of \$ 455.75. The tenant will receive a Monetary Order for the balance owing of \$ 455.75.

Conclusion

I order that the landlord retain \$ 144.25 from the security deposit. I grant the tenant a Monetary Order in the amount of **\$ 455.75** and a copy of it must be served on the landlord. If the amount is not paid by the landlord, the Order may be filed in the Provincial (Small Claims) Court of British Columbia and enforced as an Order of that Court. I have dismissed all other claims by the landlord.

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 11, 2015

Residential Tenancy Branch

