



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

MNR, FF

Introduction

This hearing was convened in response to the Landlord's Application for Dispute Resolution, in which the Landlord applied for a monetary Order for unpaid rent or utilities and to recover the fee for filing this Application for Dispute Resolution.

The Agent for the Landlord stated that on September 30, 2014 the Application for Dispute Resolution, the Notice of Hearing and documents the Landlord wishes to rely upon as evidence were sent to the Tenant, via registered mail, at the service address noted on the Application. The Landlord submitted Canada Post documentation that corroborates this statement. The Agent for the Landlord stated that the service address was provided by the Tenant on June 05, 2014. In the absence of evidence to the contrary, I find that these documents have been served in accordance with section 89 of the *Residential Tenancy Act (Act)*; however the Tenant did not appear at the hearing.

Issue(s) to be Decided

Is the Landlord entitled to a monetary Order for unpaid utilities?

Background and Evidence

The Agent for the Landlord stated that this tenancy began on June 01, 2007 and that it ended on June 04, 2014.

The Agent for the Landlord stated that the Tenant was required to pay for hydro costs incurred during the tenancy. This testimony is corroborated by the tenancy agreement submitted in evidence.

The Agent for the Landlord stated that after the tenancy ended the Landlord received a statement from the municipality, which declares that \$574.84 is still due and that it will be applied to the Landlord's taxes if it is not paid. She stated that as of May 04, 2015 this bill had not been paid. This statement was submitted in evidence.

Analysis

On the basis of the undisputed evidence, I find that the Tenant entered into a tenancy agreement with the Landlord that required the Tenant to pay for hydro expenses incurred during the tenancy.

On the basis of the undisputed evidence, I find that the Tenant has not paid hydro expenses of \$574.84 that were incurred during the tenancy and that those charges will be applied to the Landlord's property tax if they remain unpaid. As the hydro payment was due on July 02, 2014 and has still not been paid, I find it reasonable to conclude that the Tenant does not intend to pay the bill. I therefore find that the Landlord is entitled to recover the \$574.84 that will be applied to the Landlord's property tax.

I find that the Landlord's application has merit and that the Landlord is entitled to recover the cost of filing this Application for Dispute Resolution.

Conclusion

The Landlord has established a monetary claim, in the amount of \$624.84, which is comprised of \$574.84 in hydro costs and \$50.00 in compensation for the fee paid to file this Application for Dispute Resolution. I grant the Landlord a monetary Order for \$624.84. In the event that the Tenant does not comply with this Order, it may be served on the Tenant, filed with the Province of British Columbia 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: May 07, 2015

Residential Tenancy Branch

