



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MNR OPR

### Introduction

This hearing dealt with an application by the landlord for a monetary order for unpaid utilities. The landlord also requested recovery of the \$50 filing fee from the tenants. The landlord attended the hearing but the tenants did not call in. The landlord testified that both tenants were served with hearing packages in person on September 1, 2015. The landlord further testified that the tenants were phoned repeatedly about today's hearing.

### Issue(s) to be Decided

Is the landlord entitled to the requested order?

### Background and Evidence

This tenancy began approximately one year ago. The tenants vacated the rental unit on October 1, 2015 pursuant to a 2 Month Notice to End Tenancy dated July 6, 2015. The effective date of the Notice was September 30, 2015.

At the time the tenants vacated, the landlord claims that they still owed utilities in the following amounts:

City of Penticton (July 20 – Aug 20)	\$75.00
City of Penticton (Aug 20 – Oct 1)	\$194.71
TOTAL	269.71

The landlord submitted copies of the relevant utility bills.

### Analysis

I am satisfied based on the testimony of the landlord and the documents submitted in support of this claim that the landlord has established his right to payment by the tenants for the unpaid utilities. The parties had an agreement that the tenants would pay 2/3 of the total utility bills and had always done so until the last two months of the tenancy.

### Conclusion

I order that the tenants pay to the landlord the sum of \$269.71 in respect of the utility bills and I also order that the tenants pay to the landlord the sum of \$50.00 in respect of the filing fee for this matter for a total of \$319.71. 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 29, 2015

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Residential Tenancy Branch

