



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      OPR, OPC, OPB, MND, MNR, MNSD, MNDC, FF

### Introduction

This hearing dealt with an application for dispute resolution by the landlord for an order of possession, a monetary order and an order to retain the security deposit in partial satisfaction of the claim. Although served with the Application for Dispute Resolution and Notice of Hearing by personal service on October 7, 2016, the tenant did not appear.

The landlord advised that the tenant had vacated the rental unit on November 2, 2016, and an order of possession was no longer required.

### Issue(s) to be Decided

- Is the landlord entitled to a monetary order and, if so, in what amount?
- What order should be made regarding the security deposit?

### Background and Evidence

This tenancy commenced November 2013. The current landlord bought the property after that date. On May 1, 2016 the parties entered into a new written tenancy agreement. The agreement provided that the monthly rent, which was due on the first day of the month, was \$1500.00. The agreement also provided that the hydro was to split evenly between the upstairs and downstairs units. The security deposit of \$535.00 already held by the landlord was applied to this tenancy agreement.

The landlord testified that the tenant paid the rent for October but had not paid her share of the October hydro bill in the amount of \$61.00. This represents the cost of hydro up to and including October 31, 2016.

### Analysis

I find that the landlord has established a total monetary claim of \$161.00 comprised of the unpaid hydro bill in the amount of \$61.00 and the \$100.00 fee paid by the landlord for this application. I order that the landlord retain this amount from the security deposit in full satisfaction of this claim.

The balance of the security deposit is to be held by the landlord until dealt with in accordance with the legislation.

Conclusion

A monetary order in favour of the landlord in the amount of \$161.00 has been granted. This amount may be withheld from the security deposit in full satisfaction of the claim.

*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: November 30, 2016

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Residential Tenancy Branch