



# Dispute Resolution Services

Residential Tenancy Branch  
Office of Housing and Construction Standards  
Ministry of Housing and Social Development

## Decision

Dispute Codes: OPR, FF

## Introduction

This matter dealt with an application by the Landlord for an Order of Possession and to recover the filing fee for this proceeding. At the outset of the hearing, the Landlord confirmed that the Tenant moved out of the rental unit on December 2, 2008 and therefore an Order of Possession is not required and that part of the claim is dismissed.

As the Landlord did not submit any evidence in support of her application (eg. such as the Notice to End Tenancy for Unpaid Rent and Utilities), there is no way to know whether her application for an Order of Possession would have been successful, and as a result, her application to recover the filing fee for this application is also dismissed.

The Landlord claimed that the Tenant is still in arrears of rent for November, 2008, however, the Landlord did not make a claim for a monetary order in her application and as a result, she will have to file a new application for that and serve the Tenant with a copy of the new application.

## Conclusion

The Landlord's application is dismissed.