



Dispute Resolution Services

Residential Tenancy Branch
Ministry of Housing and Social Development

Decision

Dispute Codes:

OPC, MNR, ET, FF

Introduction

This hearing dealt with an Application for Dispute Resolution by the landlord for an Order of Possession, a Monetary Order for unpaid rent or utilities, and to recover filing fee from the tenant for the cost of this application.

Issue(s) to be Decided

The issues to be decided based on the testimony and the evidence are:

- Whether the landlord is entitled to an Order of Possession under Section 55 of the *Act* for cause
- Whether the landlord is entitled to a Monetary Order under section 67 of the *Act* for unpaid utilities.

Background and Evidence

The landlord has withdrawn his application for an Order of Possession as the tenant moved out of the rental unit sometime during the first week of March 2009.

The landlord filed a monetary claim for \$700.00, the cost to refill the propane tank for the rental unit and will be filing another monetary claim for damages done to the rental unit by the tenant prior to her move out.

Given the recent events involving the tenant vacating the unit, the landlord requested that this claim be dismissed with leave to reapply so all monetary claims could be handled in one Order.

Analysis

In order to simplify rules of procedure and the number of Orders issued between the applicant and respondent, I approve the landlord's request to dismiss the hearing with leave to reapply pursuant to section 64 (3)(a) of the *Act*.

Conclusion

I dismiss the claim with leave to reapply.

March 20, 2009

Date of Decision

Dispute Resolution Officer