

## **DECISION**

**Dispute Codes:** OPB, FF

This hearing dealt with an application by the landlord for an order of possession. Despite having been served with the application for dispute resolution and notice of hearing in person on June 30, 2009, the tenants did not participate in the conference call hearing.

On June 16, 2008, the landlord collected a security deposit from the tenants in the amount of \$550.00. The tenancy began on July 1, 2008 for a fixed term ending June 30, 2009. Rent in the amount of \$1100.00 was payable in advance on the first day of each month. Sometime in June, the tenants informed the landlord that they did not intend to move out of the rental unit on June 30, 2009 despite a term in the tenancy agreement stating: "At the end of this time the tenancy is ended and the tenant must vacate the rental unit". On June 5, the landlord made an application for dispute resolution for an order possession. On or about July 6, 2009, the landlord discovered that the tenants had moved out of the rental unit. The landlord therefore withdrew her application for an order of possession at the hearing.

The landlord is seeking to recover from the tenants the \$50.00 filing fee. Based on the above facts, I find that the landlord is entitled to such recovery. I grant the landlord an order under section 67 for the balance due of \$50.00. This order may be filed in the Small Claims Court and enforced as an order of that Court.

Dated July 15, 2009.