



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Housing and Social Development

## **DECISION**

Dispute Codes      CNR, FF, MNDC, O, RR

### Introduction

A substantial amount of documentary evidence, photo evidence, and written arguments has been submitted by the parties prior to the hearing. I have thoroughly reviewed all submissions.

All testimony was taken under affirmation.

### Issues(s) to be Decided

This is an application to have a Notice to End Tenancy cancelled, and an application for a monetary order for \$205.00; however the tenant paid the outstanding rent within the five day time limit and thereby voided the Notice to End Tenancy and therefore the application to have a Notice to End Tenancy cancelled was unnecessary.

Therefore the only issue to be decided is a request for an order for \$205.00.

### Decision and reasons

The applicant was requesting an order for \$180.00 to cover Hydro costs, claiming that the landlord failed to maintain the proper lighting on the roads in their mobile home park; however the applicant/tenant has never applied for a repair order and therefore it is my decision that he is not taken sufficient steps to mitigate his loss.



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The applicant was also requesting \$25.00 for a late charge; however the applicant/tenant deducted money from the rent without the authority to do so and therefore the landlord had the right to levy a late charge.

The applicant was also requesting that the respondent pay that \$50.00 filing fee that was paid for this hearing however since the remainder of the claim is dismissed it is my decision that the applicant must bear the cost of the filing fee.

## Conclusion

This application is dismissed in full without leave to reapply.

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: August 26, 2009.

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Dispute Resolution Officer