

DECISION

Dispute Codes OPR, MNR, MNSD, FF

Introduction

Some documentary evidence and written arguments has been submitted prior to the hearing. I have thoroughly reviewed all submissions.

I also gave the applicant the opportunity to testify at the hearing.

The respondent was served with notice of the hearing by registered mail that was mailed on January 21, 2010, but did not join the conference call that was set up for the hearing.

All testimony was taken under affirmation.

Issues(s) to be Decided

This was a request for a monetary order for outstanding rent and a request for an Order of Possession based on a Notice to End Tenancy for outstanding rent; however at the hearing the landlord stated that the full rent has now been paid and the landlord has decided to allow the tenancy to continue. Therefore the landlord is now just asking for an order for the \$50.00 filing fee, as the rent was not paid until after they filed for dispute resolution.

Decision and reasons

It is my decision that the tenant is liable for the filing fee, as there was a substantial amount of rent outstanding until well after the landlord applied for dispute resolution.

Conclusion

I have issued an order for the respondent to pay \$50.00 to the applicants

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: March 03, 2010.

Dispute Resolution Officer