



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Public Safety and Solicitor General

## **DECISION**

Dispute Codes      OPR, MNSD, MNR, FF

### Introduction

This hearing dealt with an application by the landlord for an order of possession for unpaid rent, to keep all or part of the security deposit, a monetary order for unpaid rent and recovery of the filing fee. The landlord participated in the conference call hearing but the tenants did not. The landlord presented evidence that the tenants were served with the application for dispute resolution and notice of hearing by registered mail. I found that the tenants had been properly served with notice of the landlord's claim and the date and time of the hearing and the hearing proceeded in their absence.

### Issue(s) to be Decided

Is the landlord entitled to any of the above under the Act.

### Summary of Background and Evidence

This tenancy began November 6, 2008 with monthly rent of 750.00, the tenant paid a security deposit of \$375.00 and a pet damage deposit of 200.00. On March 3, 2011 the landlord served the tenant with a 10 Day Notice to End Tenancy for Unpaid Rent.

The landlord testified at the start of the hearing that the tenant had paid his rent in full and that the landlord had withdrawn the 10 Day Notice to End Tenancy for Unpaid Rent and re-instated the tenancy. The landlord stated that they no longer require an order of possession for unpaid rent or a monetary order for unpaid rent. The landlord stated their application was being withdrawn with exception of recovering the \$50.00 filing fee.

### Analysis

As the landlord has withdrawn the portion of the application related to an order of possession for unpaid rent and monetary order for unpaid rent, no further action is required in relation to these matters and the tenancy will continue uninterrupted.

The landlord is entitled to recovery of the \$50.00 filing fee which was the cost to bring this application forward.

Conclusion

The landlord's application for an order of possession for unpaid rent and monetary order for unpaid rent have been withdrawn by the landlord with the result that the tenancy continues uninterrupted.

The landlord is entitled to recovery of the \$50.00 filing fee.

A monetary order in the amount of **\$50.00** has been issued to the landlord and a copy of it must be served on the tenant. If the amount is not paid by the tenant, the Order may be filed in the Provincial (Small Claims) Court of British Columbia and enforced as an order of that court.

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: April 13, 2010

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Residential Tenancy Branch