

DECISION

Dispute Codes OPR, MND, FF

This is an application by the Landlord for an order of possession for unpaid rent, a monetary order request for damage to the unit, site or property and recovery of the filing fee.

Both parties attended the hearing by conference call and gave testimony.

At the beginning of the hearing, the Tenant stated that this application was a duplicate application to RTB file no. ##### where the Dispute Resolution Officer awarded nominal damages of \$600.00 and that the Landlord may keep the security deposit in satisfaction of that claim for damages. The Landlord confirms this.

Based upon the direct testimony of both parties, I dismiss this application for lack of jurisdiction. This file has been confirmed to be a duplicate application by the Landlord. RTB file no. ##### was confirmed as having a decision already made on November 9, 2010.

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: June 03, 2011.

Residential Tenancy Branch