



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPL OPB MNR MNSD MNDC FF

Introduction

This hearing dealt with an application by the landlord for an order of possession, a monetary order and an order to retain the security deposit in partial satisfaction of the claim. The landlord and the tenant both participated in the teleconference hearing.

During the hearing, the landlord confirmed that he had received an order of possession pursuant to a previous dispute resolution hearing, and that he had served that notice on the tenant. I therefore found that the landlord did not require an order of possession.

As the tenant has not yet vacated the rental unit, the tenant has an opportunity to do cleaning and repairs. The landlord agreed to withdraw the monetary portion of his application and reapply, if necessary, after the tenant has vacated.

Conclusion

The portions of the landlord's application regarding an order of possession are dismissed.

The monetary portions of the landlord's application are dismissed with leave to reapply.

The landlord is not entitled to recovery of the filing fee for the cost of his application.

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: September 19, 2011.

Residential Tenancy Branch