



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNR, MNSD and FF

Introduction

This application was brought by the landlord on January 17, 2012 seeking an Order of Possession pursuant to a Notice to End Tenancy for unpaid served by posting on the tenants door on January 6, 2012.

The landlord also sought a Monetary Order for the unpaid rent, late fee and recovery of the filing fee for this proceeding, and authorization to retain the security deposit in set off against the balance owed.

Despite having been served with the Notice of Hearing, the tenant did not call in to the number provided to enable her participation in the telephone conference call hearing. Therefore, it proceeded in her absence.

At the commencement of the hearing, the landlord advised that the tenant had paid the rent arrears on in full on January 19, 2012.

While that was beyond the five days from service of the notice to end within which payment would have extinguished the notice, the landlord stated he wished to continue the tenancy and withdrew all claims except that for recovery of the filing fee.

The landlord stated that the tenant had agreed to pay the filing fee but had not yet done so and he wished to have the Monetary Order for confirmation that it is owed.

I find that the application was necessitated by the late payment of rent and that the tenant is responsible for the filing fee.

Conclusion

The landlord's copy of this decision is accompanied by a Monetary Order for \$50, enforceable through the Provincial Court of British Columbia, for service on the tenant.

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: February 02, 2012.

Residential Tenancy Branch