



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: OPC; FF

Introduction

This is the Landlord's application for an Order of Possession; and to recover the cost of the filing fee from the Tenant.

The Landlord's agent gave affirmed testimony at the Hearing.

Issues to be Decided

- Is the Landlord entitled to an Order of Possession?

Background and Evidence

The Landlord's agent gave the following testimony:

At the outset of the Hearing, the Landlord's agent advised that the Tenant moved out of the rental unit in mid July, 2012, and therefore he was withdrawing his application for an Order of Possession. The Landlord was not able to serve the Tenant with the Notice of Hearing documents.

The Landlord's agent stated that the Landlord is holding a security deposit in the amount of \$225.00.

Analysis

The Landlord's agent withdrew the Landlord's application for an Order of Possession because the Tenant has moved out of the rental unit.

I make no order with respect to the Landlord's application for recovery of the filing fee.

The security deposit must be applied in accordance with the provisions of the Act.

Conclusion

The Landlord's application is dismissed as withdrawn.

The security deposit in the amount of \$225.00 must be applied in accordance with the provisions of the Act.

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: August 15, 2012.

Residential Tenancy Branch

