



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

**Dispute Codes:** OPR, MNR, MND, MNSD, MNDC, FF

### **Introduction**

This hearing dealt with an application by the Landlord pursuant to the *Residential Tenancy Act* for an order of possession and for a monetary order for unpaid rent, late fees and the filing fee. The landlord also applied to retain the security deposit in satisfaction of her claim.

The notice of hearing was served on the tenant by registered mail. The landlord filed a tracking number into evidence. Despite having been served the notice of hearing, the tenant did not attend the hearing. The landlord attended the hearing and was given full opportunity to present evidence and make submissions.

At the start of the hearing, the landlord informed me that the tenant had paid all outstanding rent plus late fees. The landlord reinstated the tenancy and therefore withdrew her entire application except for the recovery of the filing fee. Accordingly, this hearing only dealt with the landlord's application for a monetary order for the filing fee.

### **Issues to be decided**

Is the landlord entitled to the recovery of the filing fee?

### **Analysis**

As this dispute was resolved by mutual agreement and not based on the merits of the case, I decline the landlord's request to recover the filing fee paid for this application.

### **Conclusion**

The landlord must bear the cost of filing her 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 26, 2012.

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Residential Tenancy Branch