



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPC, FF

Introduction

This matter dealt with an application by the Landlord for an Order of Possession and to recover the filing fee for this proceeding.

At the start of the conference call the Landlord said the Tenants have vacated the rental unit and he has possession of the unit. The Landlord continued to say that he did not want to withdraw the application because he wanted a recorded of the incident that he has had with the Tenants. The Landlord said the Tenants were very difficult people and they left the rental unit in poor condition. As a result of the Tenants moving out of the unit and the Landlord gaining possession of the rental unit, I find there is nothing to rule on with respect to possession of the rental unit, consequently the Landlord's request for an Order of Possession is dismissed.

Further I find that the Landlord is entitled to recover the filing fee of \$50.00 for this proceeding from the Tenants. I order the Landlord to retain \$50.00 from the Tenants' security deposit as full payment of the filing fee for this proceeding.

Conclusion

The Landlord is ordered to retain \$50.00 from the Tenants' security deposit.

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*.

Residential Tenancy Branch