



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR 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 participated in the teleconference hearing, but the tenant did not call into the hearing. The landlord stated that on October 26, 2012 the landlord personally served the tenant with the application for dispute resolution and notice of hearing. I find that the tenant was served with notice of the hearing.

At the outset of the hearing, the landlord stated that a couple of days after the tenant was served with notice of the hearing, she paid all of the outstanding rent. As of the date of the hearing, the landlord had received the tenant's rent payment for December 2012. The landlord stated that she wished to withdraw all of her application except for recovery of the filing fee. The landlord felt that the matter would not have been resolved if the tenant had not been served with notice of the hearing.

I accept the testimony of the landlord that the tenant may not have been motivated to pay all of the outstanding rent if the landlord had not applied for dispute resolution. I therefore find that the landlord is entitled to recovery of the \$50 filing fee for the cost of their application.

I grant the landlord an order under section 60 for the balance due of \$50. This order may be filed in the Small Claims Court and enforced as an order of that Court.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Manufactured Home Park Tenancy Act*.

Dated: November 30, 2012.

Residential Tenancy Branch