



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding BRISTOL ESTATE
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPR, MNR, MNSD, FF

Introduction

The landlord has applied for dispute resolution of a dispute in the tenancy at the above noted address, and requests an Order of Possession, a Monetary Order; and an order to retain the security deposit.

Issues to Be Decided

- Is the Notice to End Tenancy (the “Notice”) served upon the tenant effective to end this tenancy, and entitle the landlord to an Order of Possession?
- Is there rental money payable to the landlord?
- Has the tenancy been reinstated?
- Is the landlord entitled to retain the deposit?

Background and Evidence

After falling into arrears, being served with a notice to end tenancy, and this application being filed by the landlord, the tenant paid almost all rent due to the landlord. The landlord has accepted such payment, and has reinstated the tenancy. There remains owing \$25.00 of rental arrears, and 2 late payment charges of \$25.00 each.

Analysis

As the tenancy has been reinstated, no Order of Possession is now sought, and that portion of the claim is dismissed.

The landlord seeks an award for the \$25.00 arrears, 2 late charges, and recovery of their filing fee of \$50.00, for a total of \$125.00. This sum is awarded. As the tenancy is continuing, no order regarding the deposit is required.

Conclusion

I order that the tenant pay to the landlord the sum of \$125.00. All other portions of the application are dismissed.

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: May 09, 2013

Residential Tenancy Branch