



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Wall Financial Corporation
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPR, MNR, MNDC and FF

Introduction

This hearing was convened on an application made by the landlord on April 12, 2013 seeking an Order of Possession pursuant to a Notice to End Tenancy for unpaid rent served by posting on the tenant's door on April 2, 2013. The landlord also sought a Monetary Order for the unpaid rent, late fees, and recovery the filing fee for this proceeding.

Despite having been served with the Notice of Hearing sent by registered mail on April 17, 2013, the tenants did not call in to the number provided to enable their participation in the telephone conference call hearing. Therefore, it proceeded in their absence.

At the commencement of the hearing, the landlord gave evidence that the tenants had paid the rent arrears, that she no longer required the Order of Possession and reduced the request on the Monetary Order to the \$50 filing fee.

Issue(s) to be Decided

This application now requires a decision only on whether the landlord is entitled to a Monetary Order for the filing fee for this proceeding.

Background and Evidence

This tenancy began on May 1, 2010. Rent is \$1015 per month and the landlord holds a security deposit of \$495.50 and a pet damage deposit of \$200.

During the hearing, the landlord gave evidence the Notice to End Tenancy and application for dispute resolution had been necessitated by the tenant's failure to pay the April 2013 rent on time or within the five days within which payment would have extinguished the notice under section 46(5) of the *Act*.

Therefore, the landlord requested a the Monetary Order to ensure reimbursement of the filing fee by the tenants.

Analysis

I accept the evidence of the landlord that this dispute arose because of the tenants' failure to pay the rent for April 2013 on time.

Therefore, as authorized by section 72(1) of the Act, I find that the tenant's must compensate the landlord for the \$50 filing fee for this proceeding.

Conclusion

The landlord's copy of this decision is accompanied by a Monetary Order for **\$50.00**, enforceable through the Provincial Court of British Columbia, for service on the tenants..

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 13, 2013

Residential Tenancy Branch