



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      OPR, MNR, MDSD, CNR & FF

### Introduction

A hearing was conducted by conference call in the presence of the landlord and in the absence of the respondents although duly served. On the basis of the solemnly affirmed evidence presented at that hearing, a decision has been reached. All of the evidence was carefully considered.

I find that the Notice to End Tenancy was personally served on the Tenants on September 5, 2013. Further I find that the Application for Dispute Resolution/Notice of Hearing filed by the landlord was personally served on the Tenants on September 19, 2013. With respect to each of the applicant's claims I find as follows:

### Issue(s) to be Decided

The issues to be decided are as follows:

- a. Whether the Tenants are entitled to an order cancelling the 10 day Notice to End Tenancy dated September 5, 2013?
- b. Whether the landlord is entitled to an Order for Possession?
- c. Whether the landlord is entitled to A Monetary Order and if so how much?
- d. Whether the landlord is entitled to retain all or a portion of the security deposit/pet deposit?
- e. Whether the landlord is entitled to recover the cost of the filing fee?

### Background and Evidence

The parties entered into a written tenancy agreement that provided that the tenancy would start on June , 2013. The rent is \$750 per month payable on the first day of each month. The tenants paid a security deposit of \$375 at the start of the tenancy.

Tenants' Application:

The tenant(s) failed to appear at the hearing. As a result I ordered that the tenants' application to cancel the 10 day Notice to End Tenancy be dismissed.

Landlords' Application:

The landlord testified that the tenants paid the arrears for September, all of the rent for October and the cost of the filing fee with the last payment being made on October 12, 2013. He testified he accepted the payment unconditionally and has reinstated the tenancy. As a result I order the landlord's application be 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: October 16, 2013

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Residential Tenancy Branch

