



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Li-Car Management Group
and [tenant name suppressed to protect privacy]

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 called into the teleconference hearing and stated that they wished to withdraw their application for an order of possession as the tenant had moved out, and to withdraw their monetary claim as it had been satisfied. The only portion of their claim that the landlord wished to pursue was recovery of the \$50 filing fee that they paid for the cost of their application.

Issue(s) to be Decided

Is the landlord entitled to recovery of the filing fee?

Evidence and Analysis

The landlord stated that they had no other choice but to make their application, as they could not contact the tenant to get the rent.

I accept the evidence of the landlord that the tenant likely would not have paid the outstanding rent or vacated the rental unit if the landlord had not applied for dispute resolution. I therefore find the landlord is entitled to recovery of the \$50 filing fee for the cost of their application.

Conclusion

I grant the landlord an order under section 67 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 *Residential Tenancy Act*.

Dated: December 19, 2013

Residential Tenancy Branch

