



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPC, FF

Introduction

A hearing was conducted by conference call in the presence of the applicant and in the absence of the respondent 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 Tenant on June 8, 2014. Further I find that the Application for Dispute Resolution/Notice of Hearing was personally served on the Tenant on June 19, 2014. 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 landlord is entitled to an Order for Possession?
- b. Whether the landlord is entitled to recover the cost of the \$50 filing fee?

Background and Evidence

The parties entered into a tenancy agreement that provided that the tenancy would start on April 1, 2013. The rent is \$800 per month payable in advance on the first day of each month. The tenant paid a security deposit of \$400 and a pet damage deposit of \$200 at the start of the tenancy. The landlord served a one month Notice to End Tenancy on the Tenant on June 8, 2014. The tenant vacated the rental unit and the landlord regained possession at the end of June.

Analysis - Order of Possession:

It is no longer necessary to issue an Order for Possession as the landlord has regained possession. The landlord acted reasonably. **I ordered that the Tenant pay to the Landlord the sum of \$50 for the cost of the filing fee paid by the landlord to the Residential Tenancy Branch.**

It is further Ordered that this sum be paid forthwith. The applicant is given a formal Order in the above terms and the respondent must be served with a copy of this Order as soon as possible.

Should the respondent fail to comply with this Order, the Order may be filed in the Small Claims division of the Provincial Court and enforced as an Order of that Court.

The landlord alleged the Tenant has caused significant damage to the rental unit. The landlord has the right to file an Application for Dispute Resolution making those claims.

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: August 15, 2014

Residential Tenancy Branch

