



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding BAYwest Management Corporation
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPR, MNR, MNDC, MNSD, FF

The Landlord appeared at the hearing and stated that they are no longer seeking either an order of possession or a monetary order as the Tenant paid the outstanding rental arrears and rent by July 3, 2014 and has paid rent for August 2014. The Landlord withdraws these claims but requests recovery of the \$50.00 filing fee. The Landlord collected \$295.00 as security deposit at the outset of the tenancy that started on August 1, 2012.

Section 72 of the Act provides that where a filing fee has been ordered to be paid, the filing fee may be deducted from the security deposit. As the Tenant did not pay the arrears until after the Landlord's application, I find that the Landlord is entitled to recovery of the filing fee. As the Landlord has been found entitled to recovery of the \$50.00 filing fee I order the Tenant to pay the Landlord **\$50.00** by no later than **September 30, 2014**. Should the Tenant fail to pay this amount as ordered, the Landlord may then deduct this amount from the security deposit in full satisfaction of the claim.

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 25, 2014

Residential Tenancy Branch

