



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNR, FF

Introduction

This hearing dealt with an application by the landlord for an order of possession and a monetary order. Despite having been served with the application for dispute resolution and notice of hearing via registered mail sent March 18, 2015, the tenant did not participate in the conference call hearing.

At the hearing, the landlord advised that he wished to withdraw all of his claims except for the claim for recovery of the filing fee.

Issue to be Decided

Should the landlord recover from the tenant the \$50.00 filing fee?

Background and Evidence

The landlord's evidence is that the tenant failed to pay rent in March and was served with a notice to end tenancy for unpaid rent. After the landlord filed his claim for an order of possession and monetary order and served notice of the claim on the tenant, the tenant paid the rental arrears in full and the landlord reinstated the tenancy.

Analysis

I find that the tenant did not act to pay the rental arrears until after having received notice of the landlord's claim. I find that the tenant's delay in responding to the notice to end tenancy and paying the rental arrears caused the landlord to file an application and I therefore find that the tenant should be held liable for the cost of that application. I award the landlord \$50.00 which he may deduct from the security deposit. The balance of the security deposit should be dealt with in accordance with the provisions of the Act at the time the tenancy ends.

Conclusion

The landlord is awarded \$50.00 and will deduct that sum from the security deposit.

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: April 27, 2015

Residential Tenancy Branch

