



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

### Dispute Codes:

Landlords' application: OPL; OPN; FF

Tenant's application: CNR; RR; FF

### Introduction

This Hearing was convened to consider cross applications. The Landlords seek an Order of Possession and to recover the cost of the filing fee from the Tenant.

The Tenant seeks to cancel a Notice to End Tenancy; a rent reduction; and to recover the cost of the filing fee from the Landlords.

The Landlord BK gave affirmed testimony at the Hearing.

BK testified that the Tenant moved out of the rental unit at the end of November, 2015, and that the Landlords have taken back possession of the rental unit. He stated that the Tenant left damage to the rental unit. The Landlords are holding the Tenant's \$225.00 security deposit.

The teleconference remained open for 10 minutes, but the Tenant did not sign into the conference. The tenancy is over and therefore both Applications were dismissed. As the Tenant disputed the Notice to End Tenancy, I find that the Landlords are entitled to recover the cost of the \$50.00 filing fee from the Tenant. Pursuant to the provisions of Section 72 of the Act, the Landlords may deduct \$50.00 from the security deposit. The remainder of the security deposit must be applied in accordance with the provisions of the Act.

The Landlords are at liberty to make an Application for Dispute Resolution seeking damages, if they so desire.

### Conclusion

Both parties' Applications are **dismissed**.

The Landlords may deduct **\$50.00** 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: December 24, 2015

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Residential Tenancy Branch

