



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes ET FF

This hearing was convened as a result of the Landlord's Application for Dispute Resolution, received at the Residential Tenancy Branch on March 14, 2017 (the "Application"). The Landlord applied for the following relief pursuant to the *Residential Tenancy Act* (the "Act"):

- an order of possession pursuant to section 56 of the *Act*, and
- an order granting recovery of the filing fee.

The Landlord attended the hearing on her own behalf and was accompanied by S.G., the co-landlord. The Tenant did not attend the hearing.

On behalf of both Landlords, S.G. testified that the Tenant was served with the Application package, including the Notice of a Dispute Resolution Hearing and documentary evidence, by registered mail on March 15, 2017. In support, the Landlord submitted a Canada Post registered mail receipt. Pursuant to sections 89 and 90 of the *Act*, documents served in this manner are deemed to be received five days later. I find the Landlord's Application package is deemed to have been received by the Tenant on March 20, 2017.

During the hearing, the Landlord advised that the circumstances that gave rise to the request to end the tenancy early are no longer applicable, and that an order of possession pursuant to section 56 of the *Act* is no longer required.

In addition, the Landlord provided with her documentary evidence a copy of a 1 Month Notice to End Tenancy for Cause, dated February 27, 2017 (the "1 Month Notice"). However, that matter was not before me. The Landlord is at liberty to apply for further relief as appropriate under the *Act*.

Finally, the Landlord sought to recover the \$100.00 filing fee paid to make the Application, which I allow pursuant to section 72 of the *Act*. The Landlord requested a monetary order rather than an order permitting her to retain it from the security deposit. Pursuant to section 67 of the *Act*, I grant the Landlord a monetary order in the amount of \$100.00.

Conclusion

The Landlord is granted a monetary order in the amount of \$100.00. This order may be filed in and enforced as an order of the Provincial Court of British Columbia (Small 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: April 5, 2017

Residential Tenancy Branch