



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes

OPC FF

Introduction

This hearing dealt with an application by the landlords pursuant to the *Residential Tenancy Act* ("the Act") for orders as follows:

- An Order of Possession for Cause pursuant to section 47 of the *Act*; and
- A return of the filing fee pursuant to section 72 of the *Act*.

Only the landlords appeared at the hearing. Following remarks landlord T.C. explained that the tenants had vacated the rental unit on October 17, 2017 and that she no longer required an Order of Possession.

In addition to an Order of Possession, the landlords have applied for a return of the filing fee. As the tenants did not appear at the hearing to dispute this notice and vacated the unit after the issuance of the 1 Month Notice, I allow the landlords to recover the \$100.00 filing fee from the tenants.

Pursuant to section 72 of the *Act* the landlords may retain \$100.00 from the tenants' security deposit in satisfaction of a return of security deposit. The remaining portion of the tenants' security deposit is to be dealt with in accordance with section 38 of the *Act*.

Conclusion

The landlords' application for an Order of Possession is withdrawn. The tenants vacated the rental unit in October 2017.

The landlords' may retain \$100.00 from the tenants' security deposit. The remainder of the security deposit is to be dealt with in accordance with section 38 of the *Act*.

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: November 16, 2017

Residential Tenancy Branch