



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNRL-S, FFL

Introduction

This Application dealt with the landlord's Application pursuant to the *Residential Tenancy Act* (the *Act*) for:

- monetary order for rent and/or utilities for the landlord – security deposit applied to the claim.
- authorization to recover the filing fee for this Application from the tenants pursuant to section 72 of the *Act*.

The landlord's representative ZB and the tenants DD and SC called into this teleconference hearing.

As both parties were in attendance. I confirmed that there were no issues with service of the landlord's application for Dispute Resolution and evidentiary materials.

The tenants affirmed that they had served evidentiary documents as late evidence to the landlord by email on July 13, 2020 in accordance with the requirements of the *Emergency Program Act* and the March 30, 2020 Executive Director of the Residential Tenancy Branch's - *Director's Order* respecting email service for documents described in sections 88 and 89 of the *Act*

As neither party raised an issue on service of documents, I find that the tenants were sufficiently served pursuant to the *Director's Order* and section 71 of the *Act*.

At the outset of the hearing the tenant's affirmed they vacated the rental unit on June 14, 2020.

The landlord representative affirmed she had received an email from the Rental Assistance Program confirming payments have been made to clear the \$2567.00 rent arrears from March 2020 to June 14, 2020.

The landlord requested that the application be dismissed.

Section 62(4) (b) of the Act, an Arbitrator may dismiss all or part of an application for dispute resolution which does not disclose a dispute that may be determined under the Act. I exercise my authority under section 62(4)(b) of the Act to dismiss this application for Dispute Resolution.

Accordingly, I dismiss the landlord's application in its entirety with leave to reapply, and I dismiss the landlord's application for the filing fee pursuant to section 72 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: July 16, 2020

Residential Tenancy Branch