



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding 0748694 BC LTD  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      MNRL-S, FFL

### Introduction

On April 28, 2020, the Landlord made an Application for Dispute Resolution seeking a Monetary Order for compensation pursuant to Section 67 of the *Residential Tenancy Act* (the “Act”), seeking to apply the security deposit towards this debt pursuant to Section 38 of the *Act*, and seeking to recover the filing fee pursuant to Section 72 of the *Act*.

This Application was set down for a hearing on July 30, 2020 at 1:30 PM. The Landlord attended the hearing; however, the Tenant did not attend the 18-minute hearing. All in attendance provided a solemn affirmation.

The Landlord advised that he served the Tenant the Notice of Hearing and evidence package by email on April 30, 2020. Based on the undisputed, solemnly affirmed testimony, I am satisfied that the Tenant was served the Landlord’s Notice of Hearing and evidence package.

All parties acknowledged the evidence submitted and were given an opportunity to be heard, to present sworn testimony, and to make submissions. I have reviewed all oral and written submissions before me; however, only the evidence relevant to the issues and findings in this matter are described in this Decision.

### Issue(s) to be Decided

- Is the Landlord entitled to monetary compensation?
- Is the Landlord entitled to recover the filing fee?

### Background and Evidence

While I have turned my mind to the accepted documentary evidence and the testimony of the parties, not all details of the respective submissions and/or arguments are reproduced here.

The Landlord advised that the tenancy started on February 1, 2019, that rent was established at \$3,000.00 per month, and that it was due on the first of each month. A security deposit of \$1,500.00 was also paid. A signed copy of the tenancy agreement was submitted as documentary evidence.

He advised that the Tenant's rent cheque for April 2020 was returned due to insufficient funds and that rent has not been paid for May, June, or July 2020. However, he stated that on July 29, 2020, the Tenant electronically transferred him \$3,000.00 for April 2020 rent and \$100.00 for the filing fee.

### Analysis

Upon consideration of the testimony before me, I have provided an outline of the following Sections of the *Act* that are applicable to this situation. My reasons for making this Decision are below.

As the Tenant has paid the rent for the month that the Landlord was claiming for on this Application, as well as the filing fee, I find that there is no further remedy that can be addressed in this Application. As such, I dismiss this Application in its entirety.

### Conclusion

Based on my findings above, the Landlord's Application is dismissed without leave to reapply.

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 30, 2020

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Residential Tenancy Branch