



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

This review hearing was convened in response to an application by the Landlord pursuant to the *Residential Tenancy Act* (the “Act”) for Orders as follows:

1. An Order of possession - Section 55; and
2. An Order to recover the filing fee for this application - Section 72.

This review hearing on the Landlord's original application was granted in a Decision dated July 19, 2022 based on the Tenant's application for review consideration. The Tenant did not attend the hearing. The Landlord confirms that the Tenant has moved out of the unit and the Landlord has possession of the unit. The Landlord also confirms that the rent set out as owed on the 10-day notice for unpaid rent dated April 11, 2022 (the “Notice”) was paid within the time allowed leaving the Notice ineffective to end the tenancy. Given these confirmations I dismiss the Landlord's claim for an order of possession. As this claim has not met with success, I also dismiss the claim for recovery of the filing fee and in effect the application is dismissed in its entirety.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the Act.

Dated: September 13, 2022

Residential Tenancy Branch