



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Introduction

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

- an order of possession for cause pursuant to section 55;
- a monetary order for unpaid rent pursuant to section 67;
- authorization to retain all or a portion of the tenant's security deposit in partial satisfaction of the monetary order requested pursuant to section 38;
- authorization to recover the filing fee for this application pursuant to section 72.

The landlord attended this hearing, the tenants did not. At the outset of the hearing, the landlord's agent advised that in a related application, the landlord has already received an order of possession and a monetary order for the unpaid rent which was sought in this application.

This application is therefore dismissed as the issues applied for are now moot. I make no award for the recovery of the filing fee.

In the hearing, the landlord's agent requested to amend this application to include additional unpaid rent accrued since the filing of this application. However, as the landlord had filed repeating applications and already been issued a monetary order for the amount originally sought, I find it would not be appropriate to allow such an amendment without proper notice to the respondents.

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 11, 2023

Residential Tenancy Branch