Dispute Resolution Services

Residential Tenancy Branch
Ministry of Public Safety and Solicitor General

DECISION

Dispute Codes   OPR, MNR, MNDC, FF

Introduction

This hearing was scheduled to deal with an Application for Dispute Resolution by the landlord to obtain an Order of Possession, a Monetary Order for unpaid rent, a Monetary Order for money owed or compensation for damage or loss and to recover the cost of the filing fee.

At the outset of the hearing the landlords' agent testified that the landlord has reinstated the tenancy as the tenant has paid all the outstanding rent and late fees applied to her account. The landlords' agent states the landlord seeks only to recover the $50.00 filing fee paid for this application and withdraws all other sections of the claim as at the time the landlord filed the application the tenant was in arrears with her rent.

Analysis

As the landlord filed this application in good faith seeking an Order of Possession due to unpaid rent and a Monetary Order to recover unpaid rent and late fees; I find the landlord has reinstated the tenancy since that time but is still entitled to recover the $50.00 filing fee from the tenant pursuant to section 72(1) of the Act because at the time of filing the tenant owed rent to the landlord.

Conclusion

A copy of the landlord's decision will be accompanied by a Monetary Order for **$50.00**. The order must be served on the respondent and is enforceable through the Provincial Court as an order of that Court.

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: April 11, 2011.

                                                          Residential Tenancy Branch