



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding CAPREIT LP
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPR, MNR-S, FF

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

- an order of possession for unpaid rent 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 its filing fee for this application from the tenant pursuant to section 72.

The landlord's agent (the landlord) attended the hearing via conference call and provided undisputed affirmed testimony. The tenant did not attend or submit any documentary evidence. The landlord stated that the tenant was served with the notice of hearing package via Canada Post Registered Mail on September 20, 2018 and has submitted a copy of the Canada Post Customer Receipt as confirmation.

At the outset, the landlord stated that all rental arrears owed were paid and the landlord has reinstated the tenancy on September 21, 2018. The landlord seeks recovery of the \$100.00 filing fee. The landlord provided undisputed affirmed testimony that the tenant was notified that the landlord was proceeding with the application to recover the \$100.00 filing fee. The landlord stated that the tenant was cautioned to pick up the notice of hearing package and confirmed the tenant did pick up the package on October 6, 2018.

I am satisfied based upon the undisputed evidence of the landlord that the tenant was properly served with the notice of hearing package via Canada Post Registered Mail on September 20, 2018. I also accept the undisputed affirmed evidence of the landlord that the tenant has paid all of the rental arrears and the landlord reinstated the tenancy on September 21, 2018. I am satisfied the tenant was notified of the landlord's intent to

recover the \$100.00 filing fee during the scheduled dispute resolution hearing. As such, I find the landlord has established a claim for recovery of the \$100.00 filing fee.

The landlord is granted a monetary order for \$100.00.

This order must be served upon the tenant. Should the tenant fail to comply with the order, the order may be filed in the Small Claims Division of the Provincial Court and enforced 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: November 01, 2018

Residential Tenancy Branch