



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes CNR, FF, O

Introduction

This matter dealt with an application by the Tenant to cancel a Notice to End Tenancy for Unpaid Rent as well as to recover the filing fee for this proceeding. At the beginning of the hearing the Tenant confirmed that the tenancy ended on April 1, 2009 when she moved out. As a result of the tenancy ending, there is no reason to proceed with the Tenant's application and it is dismissed.

The Tenant argued that she should be entitled to the return of her filing fee for this proceeding because she was forced to move out due to harassment by the Landlord or her husband. That, however, is a matter for which the Tenant must apply for compensation under s. 67 of the Act and cannot be compensated by way of reimbursing the filing fee under s. 72 of the Act. As the Tenant's application to cancel the notice is dismissed so too is her application to recover the filing fee for the hearing of that matter.

Conclusion

The Tenant's application is dismissed. 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: May 14, 2009.

Dispute Resolution Officer