

DECISION

Dispute Codes:

OPB; FF

Introduction

This is the Landlord's application for an Order of Possession and to recover the cost of the filing fee from the Tenant.

Preliminary Matters

At the onset of the hearing, the parties advised that on July 31, 2009, the Tenant moved out of the rental unit, which is a mobile home situated on a site rented by the Landlord. Therefore an Order of Possession is not required.

The Landlord has not been successful in its application, and is not entitled to recover the cost of the filing fee from the Tenant.

Conclusion

The Landlord's application is dismissed without leave to re-apply.

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: September 9, 2009