

DECISION

Dispute Codes CNC, FF

This hearing dealt with the Tenant's Application for Dispute Resolution, seeking to cancel a Notice to End Tenancy issued to her by the Landlords and to recover her filing fee. At the start of the hearing I was informed the Notice had been withdrawn by the Landlords, however, the Tenant wanted to recover her \$50.00 filing fee for the Application.

Both parties appeared at the hearing, gave testimony and were provided the opportunity to present their evidence orally and in written and documentary form, and to cross-examine the other party, and make submissions to me.

At the outset of the hearing the Tenant explained that in late October of 2009, she had given the Landlords a notice she was ending the tenancy, effective on December 31, 2009.

The Landlords then gave the Tenant a Notice to End Tenancy for November 30, 2009. The Tenant explained she would dispute the Notice as no proper reason had been given. The Tenant filed to dispute the Notice to End Tenancy. After the Tenant had filed her Application for Dispute Resolution, the Landlords gave her a letter, withdrawing the Notice and stating she may stay in the rental unit until December 31, 2009.

I found at the hearing that the Tenant is entitled to recover her filing fee. The Landlords are ordered to pay the Tenant \$50.00 for her filing fee, and I enclose a formal order in those terms. If the Tenant has already deducted the \$50.00 from her rent or the Landlords have paid her \$50.00, then the order may not be enforced.

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: December 09, 2009.

Dispute Resolution Officer