

DECISION

Dispute Codes ET, FF

Introduction

This matter dealt with an application by the Landlord for an Order ending the tenancy earlier than it would end if the Landlord was required to serve the Tenant with a One Month Notice to End Tenancy for Cause and wait for the applicable notice period to expire. The Landlord also applied to recover the filing fee for this proceeding.

At the beginning of the hearing the Landlord claimed that the Tenant was served with the Application and Notice of the Hearing but that he ended the tenancy on March 16, 2010 when he moved all of his belongings and returned the keys to the rental unit.

In the circumstances, I find that the tenancy has ended and as a result, the Landlord's application for an early end to the tenancy is dismissed. I find that the Landlord is entitled to recover the \$50.00 filing fee for this proceeding and I order pursuant to s. 72 of the Act that the Landlord may deduct that amount from the Tenant's security deposit.

Conclusion

The Landlord's application for an early end to the tenancy is dismissed. The Landlord's application to recover the filing fee for the proceeding is granted. 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: March 17, 2010.

Dispute Resolution Officer