

## **DECISION**

Dispute Codes      OPT FF

### Introduction

This hearing dealt with an Application for Dispute Resolution by the Tenant to obtain an Order of Possession to the rental unit and to recover the cost of the filing fee from the Landlord for this application.

### Issues(s) to be Decided

Is the Tenant entitled to an Order of Possession pursuant to section 54 of the *Residential Tenancy Act*?

### Background and Evidence

At the onset of the hearing the Tenant advised he vacated the rental unit on August 31, 2010, in accordance with the 1 Month Notice to End Tenancy, and he was no longer seeking an Order of Possession for the rental unit. The Tenant confirmed that he did not want to move back into the rental unit.

### Analysis

This hearing was convened by the Tenant seeking an Order of Possession to the rental unit; however the Tenant has since vacated the unit and no longer seeks possession. Based on the aforementioned the Tenant's application is no longer pertinent.

The Tenant no longer seeks the remedy he applied for; therefore I decline to award recovery of the filing fee.

Conclusion

The application is no longer pertinent and no further action is required. Therefore the file is hereby closed.

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 16, 2010.

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Dispute Resolution Officer