



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR FF

Introduction

This hearing dealt with an Application for Dispute Resolution by the Tenants to cancel a notice to end tenancy for unpaid rent and to recover the cost of the filing fee from the Landlord for this application.

Issue(s) to be Decided

1. Have the Tenants vacated the property in response to the 10 Day Notice to End Tenancy?

Background and Evidence

The Tenant appeared and advised that they vacated the property on December 31, 2011, and that they attended the move out inspection on Sunday January 1, 2012. She attended the hearing seeking to obtain the return of their filing fee.

Analysis

The Tenants vacated the property at the end of the month based on receipt of the 10 Day Notice. Therefore, I find their application to be without merit and they must bear the burden of the cost to file their application. Accordingly, I dismiss their request for recovery of the filing fee.

Conclusion

I DISMISS the Tenants' request for recovery of the filing fee.

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: January 03, 2012.

Residential Tenancy Branch