



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, FF

Introduction

This matter dealt with an application by the Landlord for an Order of Possession and to recover the filing fee for this proceeding. The Landlord said he served the Tenants with the Application and Notice of Hearing in person on February 15, 2012. Based on the evidence of the Landlord, I find that the Tenants were served with the Landlord's hearing package as required by s. 89 of the Act and the hearing proceeded in the Tenants' absence.

At the beginning of the hearing, the Landlord stated that the tenancy ended on February 28, 2012 when the Tenants moved out. As the tenancy has ended, I find that the Landlord's application for an Order of Possession is unnecessary and it is dismissed without leave to reapply.

Conclusion

The Landlord's application for an Order of Possession and to recover the filing fee for this proceeding is dismissed without leave to reapply. 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 05, 2012.

Residential Tenancy Branch