



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes ET, FF

Introduction

This hearing was convened by way of conference call in repose to the landlord's application for an Early End to Tenancy and an Order of Possession and to recover the filing fee from the tenants for the cost of this application.

At the outset of the hearing the landlord's agent confirmed that the tenants vacated the rental unit on March 09, 2012. The landlord's agent therefore withdraws the landlord's application for an Early End to Tenancy and an Order of Possession. The landlord's agent requests that I consider the landlords application to recover the filing fee.

As this hearing was scheduled to deal with an Early End to Tenancy and the landlord has withdrawn their claim I cannot be satisfied that the landlord would have been entitled to recover the filing fee from the tenants as the matter concerning the landlords request for an Early End to Tenancy has not been decided. Therefore, as I cannot be satisfied that the landlord would have been successful with their claim I find the landlord must bear the cost of filing their own application.

Conclusion

No hearing has been held today as the landlord withdrew their application and the landlord's application is therefore dismissed.

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 12, 2012.

Residential Tenancy Branch