



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Brunswick Holdings & Jim Ward  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      ET, FF

### Introduction

This is an application for an Order for An Early End to the Tenancy and a request for recovery of the \$50.00 filing fee.

Some documentary evidence and written arguments has been submitted prior to the hearing. I have thoroughly reviewed all submissions.

I also gave the applicant the opportunity to testify at the hearing.

The applicant testified that the respondent(s) were served with notice of the hearing by registered mail that was mailed on February 17, 2014; however the respondent(s) did not join the conference call that was set up for the hearing.

Documents served by registered mail are deemed served five days after service, and therefore it's my finding that the respondents have been properly served with notice of today's hearing. It's hearing therefore proceeded in the respondents absence.

All testimony was taken under affirmation.

### Issue(s) to be Decided

By the date of the hearing the respondent had already vacated the rental unit and the applicants had possession, and therefore the only issue left aside is whether or not to order recovery of the filing fee.

### Background and Evidence

The applicant testified that:

- Due to threats and violent behavior by the tenants, they applied for an early end to the tenancy.
- As stated above the tenants were served with notice of today's hearing on February 17, 2014, however the tenants subsequently vacated the rental unit on or about February 27, 2014 without notice.
- They are therefore requesting an Order that the tenants bear the cost of the filing fee that they had to pay for today's hearing.

### Analysis

I have reviewed the testimony and the documentation supplied by the applicants, and is my finding that the applicants did have reasonable grounds to apply for an early end to the tenancy and therefore I will allow the request for recovery of the \$50.00 filing fee.

### Conclusion

I have issued an order for the respondents to pay \$50.00 to the applicant's.

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, 2014

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Residential Tenancy Branch

