



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, FF

This hearing was convened in response to an application by the Tenant pursuant to the *Residential Tenancy Act* (the “Act”) for Orders as follows:

1. An Order cancelling a notice to end tenancy – Section 47; and
2. An Order to recover the filing fee for this application - Section 72.

The Tenant and Landlords were each given full opportunity to be heard, to present evidence and to make submissions.

At the onset of the Hearing the Parties confirmed that the tenancy has ended by mutual agreement. The Tenant requests recovery of the filing fee and states that this item was not part of the agreement. The Landlord states that they never agreed to pay the filing fee.

As the tenancy has ended by mutual agreement, I find that the dispute has been settled. Although the Parties did not consider the filing fee in their settlement of the dispute, considering that the Parties did reach an agreement on the substantive part of the application, I decline to award recovery of the filing fee. The Tenant's application is 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: June 09, 2014

Residential Tenancy Branch

