



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Devon Properties Ltd.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNL OLC FF

This hearing was convened pursuant to the tenant's application to cancel a notice to end tenancy, as well as for an order that the landlord comply with the Act and recovery of the filing fee. The tenant called in to the teleconference hearing, but the landlord did not.

On July 18, 2014 the landlord submitted a letter indicating that they were withdrawing the notice to end tenancy, and they would not be attending the hearing. I therefore cancelled the notice to end tenancy, with the effect that the tenancy continues until such time as it is ended in accordance with the Act.

The tenant stated that he wished to recover the \$50 filing fee for the cost of his application. Given that the landlord did not withdraw the notice to end tenancy until July 18, 2014, I find that it was necessary for the tenants to apply to cancel the notice, and I grant the tenant recovery of the filing fee.

The tenant also sought to recover his mailing costs; however, as I explained to the tenant, the only cost associated with the hearing process that is normally recoverable is the filing fee.

I grant the tenant a monetary order for \$50. This order may be filed in the Small Claims Court and enforced as an order of that Court.

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: July 22, 2014

Residential Tenancy Branch

