



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      OPL, OPC, CNC, FF

This is a Review Hearing where there are applications filed by both parties. The landlord seeks an order of possession as a result of a notice to end tenancy issued for landlord's use and for cause and the recovery of the filing fee. The tenant has applied for an order to cancel a notice to end tenancy issued for cause.

The landlord attended the hearing by conference call and gave undisputed testimony. The tenant did not attend. As the notice of hearing package was sent to both parties via the tenant as he applied for and obtained a review of the original hearing, I am satisfied that both parties have been properly served.

At the beginning of the hearing, the landlord stated that tenant had vacated the rental unit on April 28, 2014 and that an order of possession was no longer required.

After waiting 10 minutes past the start of the scheduled hearing time, the tenant's application was dismissed without leave to reapply.

As the landlord's claim remains undisputed during this hearing, the landlord has been successful in his application. As such, the landlord is entitled to recovery of the \$50.00 filing fee.

The monetary order issued on April 17, 2014 is reinstated and is in full force and effect.

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 09, 2014

---

Residential Tenancy Branch

