



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes O, FF

Introduction

This hearing dealt with the landlord's application pursuant to the *Residential Tenancy Act* ("Act") for:

- other remedies, identified as an order of possession based on a fixed term tenancy agreement, pursuant to section 55; and
- authorization to recover the filing fee from the tenants, pursuant to section 72.

Both parties attended the hearing and were each given a full opportunity to be heard, to present their sworn testimony, to make submissions, and to call witnesses. The tenant confirmed that she had authority to represent her husband, the other tenant RJ named in this application, as an agent at this hearing.

At the outset of the hearing, the landlord confirmed that she wished to withdraw her application for an order of possession based on the fixed term tenancy agreement. The landlord stated that the tenants vacated the rental unit on April 1, 2015. The landlord confirmed that she was still seeking to recover the \$50.00 filing fee for her Application.

Conclusion

As the landlord withdrew her Application for an order of possession, I was not required to make a decision on the merits of this case. Accordingly, I decline to award the \$50.00 filing fee to the landlord. The landlord must bear the cost of her own filing fee for her Application. The landlord's Application for an order of possession is withdrawn.

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: April 14, 2015

Residential Tenancy Branch

