



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      ET, FF

### Introduction

This is an application brought by the Landlord(s) requesting an early end to the tenancy and recovery of the filing fee.

The applicant(s) testified that the respondent was served with notice of the hearing by posting the documents on the respondents door; however the respondent did not join the conference call that was set up for the hearing.

Pursuant to section 90 of the Residential Tenancy Act, documents posted on the door are deemed served 3 days after posting and therefore it is my finding that the respondent has been properly served with notice of the hearing and I therefore conducted the hearing in the respondent's absence.

All testimony was taken under affirmation.

### Issue(s) to be Decided

This was an application for an early end to the tenancy and recovery of the filing fee; however by the date of the hearing the tenant had already vacated the rental unit and therefore an early end to the tenancy was no longer required.

The only issue I dealt with was whether or not to order recovery of the \$100.00 filing fee.

### Background and Evidence

The applicant applied for an early end to the tenancy and recovery of her filing fee however as stated above the tenant vacated the rental unit prior to today's hearing.

The tenant did not appear at today's hearing even though the tenant had been properly served with notice of the hearing.

### Analysis

It is my decision that since the tenant failed to participate in today's hearing to raise any objection for the request for recovery of the filing fee, I allow the landlords request.

### Conclusion

I have issued an order for the respondent to pay the applicant \$100.00 for recovery of the filing fee.

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: August 29, 2016

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Residential Tenancy Branch