



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Metro Vancouver Housing Corporation
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPR, MNR, MND, MNSD, FF

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

1. An Order of Possession - Section 55; and
2. An Order to recover the filing fee for this application - Section 72.

Both Parties appeared. The Tenant confirmed that she moved out of the unit as required by the notice to end tenancy. The Landlord does not dispute this and seeks recovery of the filing fee as the Tenant did not give any notice of moving out of the unit. The Tenant questions why the Landlord continued with the hearing since the Tenant moved out as required by the notice. It is noted that the notice to end tenancy was issued July 4, 2016 and the Tenant did not dispute this notice.

As the Landlord ended the tenancy the Tenant was not required to give notice to end the tenancy. As a result and given that the Tenant complied with the Notice I find that there was no merit to the Landlord’s application. Further the Landlord could have cancelled the hearing to free up valuable time and resources for other disputes and failed to do so. I therefore dismiss the Landlord’s claim to recover 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: October 18, 2016

Residential Tenancy Branch

