



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, FF

Introduction

This hearing was convened by conference call in response to an Application for Dispute Resolution (the “Application”) made by the Tenants on September 26, 2016 to cancel a notice to end tenancy for cause and to recover their filing fee from the Landlord.

Preliminary Issues and Findings

The Tenants, the Landlord, and the Landlord’s agent appeared for the hearing. At the start of the hearing, the parties confirmed that the Tenants had vacated the rental unit and the tenancy had ended. Therefore, I dismissed the Tenants’ Application to cancel the notice to end tenancy as this is now a moot issue. The Tenants explained that they had appeared for the hearing to recover their filing fee. The Tenants were informed that as the Tenants had decided to voluntarily move out of the rental unit prior to this hearing and I did not make any legal findings on the notice to end tenancy which was the purpose of the hearing, the Landlord should not be responsible for paying the Tenants’ filing fee. Therefore, I dismissed the Tenants’ Application to recover their filing fee. The parties were provided with information with respect to their rights and obligations regarding the return of the Tenants’ security deposit.

This Decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the Act.

Dated: November 21, 2016

Residential Tenancy Branch