



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute codes OPL FF

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

- an order of possession for landlord's use of property pursuant to section 55;
- authorization to recover the filing fee for this application from the tenant pursuant to section 72.

The hearing was conducted by conference call. The tenant did not attend this hearing, although I waited until 9:10 a.m. in order to enable the tenant to connect with this teleconference hearing scheduled for 9:00 a.m.

The landlord advised that in a previous decision dated April 21, 2017; the tenant was successful in his application to cancel the 2 Month Notice to End Tenancy dated March 8, 2017. As this application was for an order of possession based on that same Notice, this application is now a moot point.

The landlord's application is dismissed. As the landlord was not successful in this application, I find that the landlord is not entitled to recover the \$100.00 filing fee paid for this application.

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: May 15, 2017

Residential Tenancy Branch