



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes ET, FF

Introduction

On July 20, 2017, the Landlords submitted an Application for Dispute Resolution for an early end of tenancy and to recover the cost of the filing fee. The matter was scheduled as teleconference hearing. The Landlord attended the hearing; however the tenants did not.

The Landlords provided affirmed testimony that they served the Notice of hearing to the Tenant Ms. P.G. on July 27, 2017 in person at the rental unit. I find that the Tenant was served with the Notice of Hearing in accordance with sections 89 and 90 of the Act.

Preliminary and Procedural Matters

The Landlord testified that the Tenants moved out of the rental unit on July 31, 2017.

In addition, the Landlord indicated he participated in a previous hearing with the Tenants. I find that a Decision for that hearing was issued on August 2, 2017, and the Landlord received an order of possession for the rental unit on August 2, 2017.

A tenancy can only end once. The Landlord does not require an order of possession. There is no need to proceed with the hearing.

Issue to be Decided

- Is the Landlord entitled to recover the cost of the filing fee?

Conclusion

The Tenants were served with the Notice of Hearing and failed to attend the hearing to refute the Landlord's claims. The Landlord made application for this hearing for an early end of tenancy prior to receiving a Decision from the earlier hearing on different matter.

I find that it is reasonable to award the Landlord the cost of the filing fee for this hearing.

I grant the Landlord a monetary order in the amount of \$100.00. This order may be filed in the Provincial Court (Small Claims) and enforced as an order of that court. The Tenants are cautioned that costs of such enforcement are recoverable from the Tenants.

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 24, 2017

Residential Tenancy Branch