



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPC, CNC, FF

This hearing dealt with applications by the landlord and the tenant pursuant to the *Residential Tenancy Act*. The landlord applied for an order of possession. The tenant applied to cancel the notice to end tenancy. Both parties applied for the filing fee.

At the start of the hearing the landlord informed me that the tenant had moved out on September 30, 2017 and that she had regained possession of the rental unit. The tenant did not attend the hearing. .Since the tenant did not attend the hearing her application is dismissed. The landlord has possession of the rental unit and therefore does not require an order of possession.

I find that the landlord is entitled to the recovery of the filing fee and I grant the landlord a monetary order under section 67 of the *Residential Tenancy Act*, for **\$100.00**. This order may be filed in the Small Claims Court and enforced as an order of that Court.

Conclusion

I grant the landlord a monetary order in the amount of \$100.00. The tenant's application is dismissed in its entirety. 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: November 22, 2017

Residential Tenancy Branch