



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding RE/MAX PENTICTON REALTY
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes ET, FFL

Introduction

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

- an early end to tenancy and an order of possession, pursuant to section 56; and
- authorization to recover the filing fee for this application, pursuant to section 72.

The two tenants did not attend this hearing, which lasted approximately 6 minutes. The landlord's agent ("landlord") attended the hearing and was given a full opportunity to be heard, to present affirmed testimony, to make submissions and to call witnesses.

At the beginning of the hearing, another tenant from another file called into the hearing. He stated that although his hearing was at a later date, he wanted to obtain some information about his file. I notified him that my role as an Arbitrator was not to provide information about other files and that he could speak to an information officer at the Residential Tenancy Branch to obtain information, not legal advice, and I provided him with the number for same. He then exited the conference and I continued with this hearing and the landlord.

At the outset of the hearing, the landlord confirmed that the tenants had vacated the rental unit, the landlord did not require an order of possession, and the landlord was bearing the cost of the \$100.00 application filing fee.

I notified the landlord at the hearing that his entire application, including to recover the \$100.00 filing, was dismissed without leave to reapply. He affirmed his understanding of same.

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 26, 2018

Residential Tenancy Branch