



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding 1153485 B.C. LTD
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes: *OPC, FF*

Introduction

This hearing dealt with an application by the landlord pursuant to the *Residential Tenancy Act* for an order of possession and for a monetary order for the filing fee.

The tenant did not attend the hearing. At the start of the hearing the landlord testified that the tenant had moved out on November 29, 2018. Since the tenant has moved out, the landlord withdrew her application for an order of possession. Therefore, this hearing only dealt with the landlord's monetary claim for the recovery of the filing fee.

Upon review of the file, I find that the landlord made this application on November 07, 2018 while the effective date of the notice to end tenancy was corrected to November 30, 2018. I find that the landlord made this application prematurely and therefore must bear the cost of filing this application.

Conclusion

The landlord's application for an order of possession is moot and accordingly dismissed.

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: December 14, 2018

Residential Tenancy Branch