



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding SINGLA BROS. HOLDINGS LTD
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPC, FF

Introduction

This hearing dealt with an Application for Dispute Resolution by the landlord filed under the Residential Tenancy Act, (the "Act"), for an order of possession based on an undisputed One Month Notice to End Tenancy and to recover the cost of the filing fee.

The landlord's agent attended the hearing. As the tenant did not attend the hearing, service of the Notice of Dispute Resolution Hearing was considered.

The Residential Tenancy Branch Rules of Procedure states that the respondent must be served with a copy of the Application for Dispute Resolution and Notice of Hearing.

The landlord testified the Application for Dispute Resolution and Notice of Hearing were served in person on March 18, 2019. I find that the tenant has been duly served in accordance with the Act.

At the outset of the hearing the landlord's agent stated that the tenant vacated the property on or around April 18, 2019, and they no longer require an order of possession.

As the tenant did vacate the premises prior to the effective date of the notice to end tenancy, I find the landlord's application was filed as a precautionary measure and not due to a violation of the notice to end tenancy. Therefore, I decline to award the cost of the filing fee.

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 17, 2019

Residential Tenancy Branch