



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      CNE, FFT

### Introduction

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

- cancellation of the landlord's 1 Month Notice to End Tenancy for End of Employment, dated June 11, 2019 ("1 Month Notice"), pursuant to section 48;
- authorization to recover the filing fee for this application, pursuant to section 72.

The two landlords and the two tenants attended the hearing and were each given a full opportunity to be heard, to present affirmed testimony, to make submissions and to call witnesses. This hearing lasted approximately 6 minutes.

Both parties agreed that the tenants vacated the rental unit on July 31, 2019 and the landlords took back possession of the unit. The landlords confirmed that they were not seeking an order of possession against the tenants.

The tenants stated that they were still pursuing their application to recover the \$100.00 filing fee. I notified the tenants that their application to recover the filing fee was dismissed without leave to reapply, as they moved out of the rental unit and there was nothing for me to decide at this hearing.

I informed both parties that the filing fee is a discretionary award issued to a successful party after a full hearing on the merits. As I was not required to have a full hearing on the merits and make a decision, I decline to award the filing fee to the tenants.

### Conclusion

The tenants' entire application is dismissed without leave to reapply.

The landlords are not entitled to an order of possession.

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 09, 2019

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Residential Tenancy Branch