



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

**Dispute Codes**      ET, FF

### **Introduction**

This hearing dealt with an application by the landlord pursuant to section 56 of the *Residential Tenancy Act*, for an order to end the tenancy early and obtain an order of possession. The landlord also applied for the filing fee.

The landlord testified that he served the tenant with the notice of hearing and application for dispute resolution on December 02, 2019, by registered mail. The tenant did not participate in the conference call hearing. I found that the tenant had been served with notice of the landlord's claim in accordance with sections 88 and 89 of the *Act*, and the hearing proceeded in the tenant's absence.

At the start of the hearing, the landlord informed me that the tenant had moved out on January 19, 2020, the day before this hearing. The landlord confirmed that he was no longer in need of an order of possession but requested the recovery of the filing fee. Since the tenant did not provide any evidence to support his position, did not attend the hearing and moved out prior to this hearing I find that the landlord is entitled to the recovery of the filing fee. Accordingly, 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.

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: January 20, 2020

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Residential Tenancy Branch