



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding CAPITAL ENTERPRISES  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      ERP, FFT

### Introduction

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

- an order requiring the landlords to complete emergency repairs to the rental unit, pursuant to section 33; and
- authorization to recover the filing fee for this application, pursuant to section 72.

The individual landlord ("landlord") and the tenant attended the hearing and were each given a full opportunity to be heard, to present affirmed testimony, to make submissions and to call witnesses. The landlord confirmed that he was the owner of the landlord company named in this application and that he had permission to speak on its behalf at this hearing. This hearing lasted approximately 7 minutes.

The landlord confirmed receipt of the tenant's application for dispute resolution hearing package. In accordance with sections 89 and 90 of the *Act*, I find that the landlords were duly served with the tenant's application.

The tenant confirmed that the emergency repairs had been done and she was not pursuing her application at this hearing. She claimed that the landlord had been ordered at a previous RTB hearing to do the repairs by January 21, 2020, but it was done on January 28, 2020. The landlord said that the tenant delayed the repairs. The tenant denied same.

The tenant stated that she still wanted to recover her \$100.00 filing fee from the landlords. The landlord refused to pay same.

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 \$100.00 filing fee to the tenant.

Conclusion

The tenant's entire application is dismissed without leave to reapply.

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: February 21, 2020

---

Residential Tenancy Branch