



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

### Dispute Codes      OLC FFT

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

- an order that the landlord comply with the Act, regulation or tenancy agreement pursuant to section 62; and
- authorization to recover the filing fee for this application from the landlord pursuant to section 72.

All parties attended the hearing and were given a full opportunity to be heard, to present affirmed testimony, to make submissions, and to call witnesses.

AT the start of the hearing, the landlord advised me that he has sold the residential property the rental unit is located in (the residential property is a single detached home; the tenants occupy the basement unit and the landlord formerly occupied the upper unit). The landlord testified that he vacated the residential property on June 19, 2021 and that the tenants remain in the rental unit.

The tenants confirmed this. Tenant JC stated that there are no more issues between the landlord and the tenants, and that the tenants no longer require the relief they sought on the application. He stated that the only reason the tenants attended the hearing was because it had already been scheduled. Tenant TLE stated that she wanted an order that the landlord reimburse the tenants the filing fee. She suggested that the landlord sold the residential property to avoid having to pay this fee or address the issues raised in the application.

As the tenants no longer require the relief they sought on the application, I dismiss the tenants' application without leave to reapply. I decline to make any order regarding the filing fee, as the rest of the application is moot. It would not be efficient to conduct a hearing on the sole issue of the filing fee. If the relief sought by an applicant is no longer needed, the applicant should withdraw their claim prior to the hearing, per RTB Rule of Procedure 5.0.1. The tenants did not do this. I dismiss the tenants' application for the reimbursement of their filing fee 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: August 10, 2021

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Residential Tenancy Branch