



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes

Parties	File No.	Codes:
(T) Amanpreet Kaur Baryar	310036765	CNC, FFT
(L) Roghieh Allahyari	310038141	OPN, FFL

Introduction

This hearing dealt with cross applications for Dispute Resolution under the *Residential Tenancy Act* ("Act") by the Parties.

The Tenant filed a claim:

- to cancel a One Month Notice to End Tenancy for Cause dated May 3, 2021; and
- recovery of the \$100.00 application filing fee;

The Landlord filed a claim for:

- an Order of Possession for a Tenant's Notice to End the Tenancy; and
- recovery of the \$100.00 application filing fee.

An advocate for the Tenant, K.D. ("Advocate"), appeared at the teleconference hearing and gave affirmed testimony. No one attended on behalf of the Landlord. The Advocate said that the Tenant had already moved out at the start of this month, and that she only wishes to be reimbursed for the \$100.00 Application filing fee. However, as the Tenant did not succeed in her Application, I decline to award the filing fee to her. Further, since the Landlord did not attend the hearing, I decline to reimburse the Landlord with the \$100.00 Application filing fee, either.

Based on the evidence before me, I find that the tenancy ended on September 1, 2021, and that the Parties have withdrawn their Applications, as irrelevant, since I find that the tenancy has ended.

For the reasons stated above, I find the withdrawal of these Applications is not prejudicial to either Party in any way. The Parties' Applications are hereby withdrawn.

This Decision is final and binding on the Parties, unless otherwise provided under the Act, and 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: September 07, 2021

Residential Tenancy Branch