



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes PSF

Introduction

This hearing was convened on an application by the tenant seeking an Order for the provision of services or facilities, specifically, retention of a parking area on the rental property which the landlords had proposed to assign to another tenant.

Despite having been served with the Notice of Hearing sent by registered mail, the landlords did not call in to the number provided to enable their participation in the telephone conference call hearing which proceeded in their absence.

At the commencement of the hearing, tenant stated that the landlords had agreed to his continued use of the parking area in question and a decision would no longer be required.

On the question of whether the tenant is entitled to recover the filing fee for this proceeding from the landlord, I note that he did not request it on his application form. As the landlords may have taken that omission into account in their decision to not attend the hearing because the primary issue of which had been resolved, I must decline to award the fee.

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: November 14, 2012.

Residential Tenancy Branch