



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing

A matter regarding Amacon Property Management Service
Inc. and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNC, FFT

Introduction

The Tenant filed an Application on November 25, 2022 for a cancellation of the One-Month Notice to End Tenancy for Cause (the “One-Month Notice”), and reimbursement of the Application filing fee.

The matter proceeded by way of a hearing pursuant to s. 74(2) of the *Residential Tenancy Act* (the “Act”) on April 3, 2023.

The Landlord and Tenant both attended the scheduled hearing. Both parties confirmed that the Tenant already moved out from the rental unit on January 31, 2022.

Though the Tenant filed an Application to dispute the One-Month Notice, the validity of the Landlord’s reasons for ending the tenancy are non-issues where the Tenant chose to end the tenancy in the interim period. I dismiss the Tenant’s Application for this reason.

The Tenant in the hearing described their feeling that they are entitled to a return of fees implemented by the Landlord at the end of the tenancy for a matter concerning the Tenant’s disposal of personal property at the end of the tenancy. I note for the record the Tenant signed their agreement to the deduction of the charges from the return of the deposit at the end of the tenancy.

For the purposes of this hearing, the Tenant did not amend their Application to notify the Landlord they were disputing this. That opportunity to amend their Application has passed, and the Tenant’s submissions only refer to the reasons they feel the One-Month Notice was not valid. I make no award for compensation to the Tenant.

Because the Tenant did not amend their Application, and they are not successful in this Application, I dismiss the Tenant's claim for a return of the Application filing fee.

Conclusion

Because the tenancy has ended, I dismiss the Tenant's Application, without leave to reapply. There is no reimbursement of the Application filing fee to the Tenant.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under s. 9.1(1) of the *Act*.

Dated: April 3, 2023

Residential Tenancy Branch