



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes ET, FFL

Introduction and Analysis

This hearing dealt with an Application for Dispute Resolution (“application”) by the landlord seeking remedy under the *Residential Tenancy Act* (“Act”) for an order of possession to end the tenancy early due to an immediate and severe risk to the rental property, other occupants or the landlord, and to recover the cost of the filing fee.

An agent for the landlord, MP (“agent”) attended the teleconference hearing. The agent was affirmed and at the start of the hearing, the agent testified that the tenant vacated the rental unit on May 16, 2019, since the landlord filed their application on May 8, 2019. In addition, the agent referred to a signed Mutual Agreement to End Tenancy document signed by both parties before the tenant vacated the rental unit.

Given the above, I find that since the tenancy has ended by the tenant vacating the rental unit, signing the Mutual Agreement to End Tenancy document, and that agent confirmed that the landlord possession of the rental unit back from the tenant, that this entire application is now moot. Therefore, I find it is not necessary to consider this application as the tenancy has ended.

Conclusion

The landlord’s application is now moot as the tenant has vacated the rental unit. Therefore, the landlord’s application is dismissed without leave to reapply.

I do not grant the filing fee as a result.

The decision will be emailed to the landlords’ email addresses confirmed during the hearing and will be sent by regular mail to the tenant.

This decision is final and binding on the parties, except as 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: June 10, 2019

Residential Tenancy Branch