



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR OLC

Introduction

This hearing was convened as a result of the Tenants' Application for Dispute Resolution. The participatory hearing was held on September 3, 2020. The Tenants applied for multiple remedies, pursuant to the *Residential Tenancy Act* (the "Act").

One of the tenants, M.M, attended the hearing. However, the Landlord did not.

Preliminary Matters

During the hearing, the M.M. testified that they (the Tenants) have now moved out of the rental unit. As such, I find the Tenants' application to cancel the 10 day Notice is no longer required and I dismiss it without leave to reapply. Further, the Tenants' application for an order for the Landlord to comply with the Act is also moot since the tenancy is over. The Tenants application for both grounds is dismissed without leave to reapply. Further, since the Tenants have moved out, it appears that the Landlord has regained possession of the rental unit and they no longer require an order of possession, pursuant to section 55 of the *Act*.

The Tenant stated that his focus at this point is in obtaining compensation. However, as discussed at the hearing, this issue was not applied for. The Tenants are at liberty to make an application for monetary compensation. However, this would require a new application, and a new hearing.

Conclusion

I dismiss the Tenants' application, in full, without leave to reapply. The Tenants are granted leave to apply for monetary compensation.

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: September 03, 2020

Residential Tenancy Branch