



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC

Introduction

This hearing was convened by way of conference call in response to an Application for Dispute Resolution filed by the Tenant on March 26, 2021 (the “Application”). The Tenant applied to dispute a One Month Notice to End Tenancy for Cause (the “Notice”).

The Tenant attended the hearing. Nobody attended the hearing for the Landlord.

The Tenant advised at the outset that they had moved off the site at the end of April. I asked the Tenant what they intended to do with the Application. The Tenant sought to proceed with the Application. I explained to the Tenant that the only issue raised on the Application is whether the tenancy should continue or end given the Notice, the tenancy has ended by the Tenant moving off the site and therefore the dispute of the Notice is no longer an issue. I told the Tenant I would not consider the dispute of the Notice given the Tenant has moved off the site and the tenancy has ended.

It was clear from materials submitted by the Landlord that the Landlord took the position that the RTB does not have jurisdiction in this matter. The Tenant sought a decision on whether the RTB has jurisdiction in this matter. I told the Tenant I would not consider the jurisdiction issue alone without there being a further substantive issue, the dispute of the Notice, before me. Given the issue raised in the Application is no longer an issue, I do not find it necessary or appropriate to consider whether the RTB has jurisdiction over the parties.

The Tenant advised that they wanted compensation from the Landlord. I explained to the Tenant that I could only decide the issue raised in the Application and that the Tenant would need to file an Application for Dispute Resolution seeking compensation if the Tenant was of the view that they are entitled to compensation from the Landlord.

Given the above, the Application is dismissed without leave to re-apply as the Tenant has moved off the site and therefore the dispute of the Notice is no longer an issue.

Conclusion

The Application is dismissed without leave to re-apply.

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

Dated: July 14, 2021

Residential Tenancy Branch