



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes **OLC, RR, CNL, FFT**

Introduction

This hearing dealt with the Tenant's application pursuant to the *Residential Tenancy Act* (the "Act") for:

1. Cancellation of the Landlord's Two Month Notice to End Tenancy for Landlord's Use of Property (the "Two Month Notice") pursuant to Sections 49 and 62 of the Act;
2. An Order for the Landlord to comply with the Act, regulations and tenancy agreement pursuant to Section 62(3) of the Act;
3. An Order to reduce rent for repairs, services or facilities agreed upon but not provided pursuant to Section 65 of the Act;
4. Recovery of the application filing fee pursuant to Section 72 of the Act.

The hearing was conducted via teleconference. The Tenant and Translator attended the hearing at the appointed date and time and provided affirmed testimony. The Landlord did not attend the hearing. I confirmed that the correct call-in numbers and participant codes had been provided in the Notice of Hearing. I also confirmed from the teleconference system that the Tenant and I were the only ones who had called into this teleconference. The Tenant was given a full opportunity to be heard, to make submissions, and to call witnesses.

I advised the Tenant and Translator that Rule 6.11 of the Residential Tenancy Branch ("RTB") Rules of Procedure prohibits the recording of dispute resolution hearings. The Tenant and Translator testified that they were not recording this dispute resolution hearing.

At the outset of the hearing the Tenant stated that he moved out of the rental unit on February 28, 2022 after receiving a written notice that the Landlord's family would be moving into the rental unit.

For the benefit of the Tenant, the Tenant may wish to discuss with an Information Officer at the RTB the options available to him for the end of this tenancy. An Information Officer can be reached at:

5021 Kingsway
Burnaby, BC
Phone: 250-387-1602
Website: <https://www2.gov.bc.ca/gov/content/housing-tenancy/residential-tenancies>

Conclusion

In this matter, the tenancy ended after the Tenant received a Section 49 notice to end. The Tenant has vacated the rental unit pursuant to Section 44(1)(d) of the Act. As the tenancy has come to an end, pursuant to Section 62(4)(b) of the Act I have no authority to adjudicate the claim before me.

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

Dated: March 21, 2022

Residential Tenancy Branch