



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes **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; and,
2. Recovery of the application filing fee pursuant to Section 72 of the Act.

The hearing was conducted via teleconference. The Landlord, SS, Translator, PG, and the Tenant, SW, and Support, VP, attended the hearing at the appointed date and time. Both parties were each given a full opportunity to be heard, to present affirmed testimony, to call witnesses, and make submissions.

Both parties were advised that Rule 6.11 of the Residential Tenancy Branch (the "RTB") Rules of Procedure prohibits the recording of dispute resolution hearings. Both parties testified that they were not recording this dispute resolution hearing.

Following introductory remarks, the Tenant advised that they accepted the Two Month Notice and moved out of the rental unit on May 8, 2022. The Landlord stated they were informed by neighbours that the Tenant vacated, and the Landlord went to the home to check. The back door was left open, but the Landlord has now secured the home. I find the tenancy ended on May 8, 2022.

I advised the parties as the tenancy has ended, pursuant to Section 62 of the Act, the application before me is therefore moot and is dismissed without leave to re-apply.

The Tenant must bear the cost of their own application filing fee.

The parties may wish to discuss with an Information Officer at the RTB the options available to them moving forward in their matter. An Information Officer can be reached at:

5021 Kingsway

Burnaby, BC

Phone: 250-387-1602 / 1-800-665-8779

Website: <https://www2.gov.bc.ca/gov/content/housing-tenancy/residential-tenancies>

Conclusion

As the tenancy ended on May 8, 2022, the Tenant's application is dismissed without leave to re-apply.

The Tenant must bear the cost of their own application filing fee.

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: May 12, 2022

Residential Tenancy Branch