



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding COAST MENTAL HEALTH and  
[tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      OPQ, OPN

### Introduction, Preliminary and Procedural Matters-

This hearing convened to deal with the landlord's application for dispute resolution (application) seeking remedy under the Residential Tenancy Act (Act). The landlord applied for an order of possession of the rental unit based upon the tenant's written notice. The landlord then amended their application seeking for an order of possession of the rental unit pursuant to a Two Month Notice to End Tenancy Because the Tenant Does Not Qualify for Subsidized Rental Unit (Notice/2 Month Notice) that was issued to the tenant.

The landlord served the 2 Month Notice to the tenant and the tenant filed an application in dispute. The tenant's application seeking cancellation of the 2 Month Notice was set for hearing on November 1, 2022, before the undersigned arbitrator. The tenant at that hearing confirmed receiving the landlord's application and 2 Month Notice and was aware of the hearing set for today.

The hearing on November 1, 2022, proceeded on the merits of the 2 Month Notice and thereafter, the parties attempted to negotiate a settlement. There was no final resolution or settlement of the matters relating to the tenant's application. The parties were informed I would make a final Decision on the tenant's application, which may result in the landlord receiving an order of possession. The parties were further informed that the hearing set for today would not be cancelled.

The landlord's agents attended the hearing; however, the tenant did not attend the present hearing.

On November 2, 2022, a Decision was made in the tenant's application, in which I upheld the landlord's 2 Month Notice, dismissed the tenant's application, and granted

the landlord an order of possession of the rental unit, effective 2 days after service on the tenant. That file number is referenced on the cover page of this Decision.

As the landlord has now been issued an order of possession of the rental unit on the tenant's application, I find that the issue in the landlord's application is now concluded.

I therefore find it unnecessary to consider the merits of the landlord's application and as a result, I **dismiss** the landlord's application, without leave to reapply.

I additionally determined that the landlord listed an incorrect rental unit number in their application. The landlord listed a suite number that is not the rental unit suite number listed in their evidence, the tenant's address, or the 2 Month Notice. I have therefore determined that it was appropriate to amend the landlord's application in order that the correct rental unit suite number is listed.

The order of possession of the rental unit was given for the correct rental unit suite number, on the tenant's file.

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*. Pursuant to section 77(3) of the Act, a decision or an order is final and binding, except as otherwise provided in the Act.

Dated: November 03, 2022

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Residential Tenancy Branch