



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, FFT

Introduction

This hearing was convened by way of conference call in response to an Application for Dispute Resolution filed by the Tenants August 06, 2022 (the “Application”). The Tenants applied as follows:

- To dispute a One Month Notice to End Tenancy for Cause
- To recover the filing fee

Tenant V.V. appeared at the hearing. G.L. appeared at the hearing and submitted that they were a tenant in relation to the rental unit. The Landlord appeared at the hearing. The Landlord submitted that G.L. was not a tenant in relation to the rental unit.

Tenant V.V. and G.L. advised that they have moved out of the rental unit. Tenant V.V. advised that all Tenants named on the Application have moved out of the rental unit. The Landlord confirmed all Tenants have moved out of the rental unit and therefore the Landlord is not seeking an Order of Possession.

I told Tenant V.V. and G.L. that the Application is no longer an issue given all Tenants have moved out of the rental unit. I told Tenant V.V. that the Tenants will not be awarded the filing fee because they have not been successful on the Application which is now moot. I told the parties I will dismiss the Application without leave to re-apply.

As stated, the Landlord and G.L. disagreed about whether G.L. was a tenant in relation to the rental unit or simply a roommate of the Tenants. I did not hear on this issue and have not decided this issue because the Application is moot and therefore whether G.L. was a tenant or not is moot as it relates to this Application.

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 *Act*.

Dated: January 03, 2023

Residential Tenancy Branch