



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing

DECISION

Dispute Codes CNC, FFT

Introduction

This hearing was convened as a result of the Tenants' application under the *Residential Tenancy Act* (the "Act") for:

- cancellation of a One Month Notice to End Tenancy for Cause (the "One Month Notice") pursuant to section 47; and
- authorization to recover the filing fee for this application from the Landlords pursuant to section 72.

The Tenants, one of the Landlords WC, and the Landlords' property manager BD attended this hearing and gave affirmed testimony.

Preliminary Matter – Tenancy Has Ended

The parties agreed that the Tenants have vacated the rental unit and that the tenancy has ended. I find the Tenants' claim to dispute the One Month Notice to be moot since the tenancy is already over.

The filing fee is a discretionary award usually granted to an applicant by the arbitrator after the applicant is found to be successful on the merits. As I was not required to determine the merits of the Tenants' claim regarding the One Month Notice, I decline to award the Tenants reimbursement of their filing fee.

Conclusion

This application is dismissed in its entirety without leave to re-apply due to circumstances that have rendered it moot.

Pursuant to section 60 of the Act, parties may make claims related to the tenancy within two years of the date that the tenancy ends.

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*.

Dated: April 21, 2023

Residential Tenancy Branch