



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Housing

## **DECISION**

Dispute Codes      CNL, MNDCT, OLC, FFT

### Introduction

This hearing was set to deal with a tenant's application for cancellation of a Two Month Notice to End Tenancy for Landlord's Use of Property ("Two Month Notice"); monetary compensation for damages or loss under the Act, regulations, or tenancy agreement; and, orders for the landlord to comply with the Act, regulations or tenancy agreement, as amended.

Both parties appeared and were affirmed. The hearing process was explained to the parties and the parties were given the opportunity to ask questions about the process.

At the outset of the hearing, I confirmed the tenants served their original application and their Amendment to the landlord, via registered mail, and the landlord received the tenant's materials. The landlord did not submit or serve evidence prior to the hearing and confirmed he intended to provide his position orally during the hearing.

Shortly after the hearing commenced, I heard that the tenants have already vacated the rental unit and returned possession of the unit to the landlord. Accordingly, the tenant's request for cancellation of the Two Month Notice and orders for compliance were moot as of the date of this hearing and the only outstanding issue to resolve was the tenant's monetary claim.

After some discussion as to the basis for the tenants' monetary claim, the tenant's requested withdrawal of their monetary claim, without prejudice. I granted the tenant's request and dismissed the tenant's monetary claim, with leave to reapply.

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: May 30, 2023

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Residential Tenancy Branch