



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing

DECISION

Dispute Codes CNQ, FFT

Introduction

Pursuant to section 58 of the Residential Tenancy Act (the Act), I was designated to hear an application regarding the above-noted tenancy. The tenant applied for:

- cancellation of a Two Month Notice - Tenant does not Qualify for Subsidized Rental Unit (the Notice), pursuant to section 49; and
- an authorization to recover the filing fee for this application, under section 72.

The applicant (tenant) called into this teleconference at the date and time set for the hearing of this matter. Although I waited until 11:14 am to enable the respondent (landlord) to connect with this teleconference hearing scheduled for 11:00 am, the respondent did not attend.

I confirmed that the correct call-in numbers and participant codes had been provided in the Notice of Hearing. During the hearing, I also confirmed from the online teleconference system that the tenant and I were the only persons who had called into this teleconference.

The tenant affirmed that he moved out of the rental unit on June 01, 2023.

The tenant applied to cancel the Notice so the tenancy could continue. This claim is now moot since the tenancy ended.

Section 62(4)(b) of the Act states an application should be dismissed if the application or part of an application for dispute resolution does not disclose a dispute that may be determined under the Act. I exercise my authority under section 62(4)(b) of the Act to dismiss this application for dispute resolution.

Accordingly, I dismiss the tenant's application in its entirety.

The tenant must bear the cost of the filing fee, as the tenant was not successful.

Conclusion

I dismiss the application without 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: June 12, 2023

Residential Tenancy Branch