



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, FFT

Introduction

This hearing was scheduled to convene at 11:00 a.m. on October 3, 2023 concerning an application made by the tenants seeking an order cancelling a notice to end the tenancy for unpaid rent or utilities and to recover the filing fee from the landlord for the cost of the application.

One of the named tenants attended the hearing, however the line remained open while the telephone system was monitored for 10 minutes and no one for the landlord joined the call.

At the commencement of the hearing the tenant advised that the tenants have vacated the rental unit. To cancel the notice to end the tenancy would mean that the tenants would be permitted to remain in the rental unit. However, since the tenants have vacated, I dismiss the tenants' application to cancel the notice. Since the tenants have not been successful with the application, the tenants are not entitled to recover the filing fee from the landlord.

Conclusion

For the reasons set out above, the tenants' application is hereby dismissed in its entirety 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: October 03, 2023

Residential Tenancy Branch