



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes

CNL & FF

Introduction

This hearing was to deal with the tenant's application to dispute a two month Notice to End Tenancy for Landlord's Use of the Property pursuant to section 49 of the *Act*.

Preliminary Issue:

During the beginning of the hearing the tenant confirmed that she vacated the rental unit as of June 30, 2009. The landlord was not aware that the tenant had vacated the rental unit. By vacating the rental unit the tenant has implicitly accepted the notice and there is no longer any basis to proceed with the application. When I explained the situation to the tenant she became very upset and then left the conference call.

Analysis

I dismiss the tenant's application. The tenant applied to dispute the notice to end tenancy and since she has vacated before the hearing there is no reason to proceed with the dispute.

Conclusion

The tenant's application is dismissed. I do not grant the tenant's request to recover the filling fee paid for this application from the landlord as the tenant's action caused this application to be dismissed.

Dated: July 15, 2009.

Dispute Resolution Officer