

## **DECISION**

Dispute Codes      CNL, MNDC, FF

### Introduction

This matter dealt with an application by the Tenants to cancel a 2 Month Notice to End Tenancy for Landlord's Use of Property and for a Monetary Order for compensation for damage or loss under the Act or tenancy agreement as well as to recover the filing fee for this proceeding. The hearing started as scheduled at 11:00 a.m., however, by 11:10 a.m., the Tenants had not dialled into the conference call. At the beginning of the hearing, the Landlord claimed that he discovered on or about May 19, 2010 that the Tenants had moved out of the rental unit.

### Issues(s) to be Decided

1. Are the Tenants entitled to compensation and if so, how much?

### Background and Evidence

This fixed term tenancy started on January 1, 2010 and was to expire on June 30, 2010. The Landlord said on March 1, 2010, he gave the Tenants a 2 Month Notice to End Tenancy which was to take effect on July 1, 2010. A copy of the Notice was not provided as evidence at the hearing however the Landlord claimed that the Notice stated that the Landlord or a close family member intended to reside in the rental unit.

### Analysis

As the tenancy has ended, the Tenants application to cancel the 2 Month Notice is dismissed without leave to reapply.

The details portion of the Tenants' application states that they were seeking \$5,000.00 compensation for making improvements to the rental property. The Tenants did not attend the hearing and did not provide any other evidence in support of their application for compensation. In the circumstances, I find that there is no evidence in support of the Tenants' application and it is dismissed without leave to reapply.

### Conclusion

The Tenants' application is dismissed 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: May 26, 2010.

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Dispute Resolution Officer