

DECISION

Dispute Codes:

AAT, FF

Introduction

This hearing was convened in response to an application by the tenant filed on February 18, 2011 pursuant to the *Residential Tenancy Act* (the Act) for Orders as follows:

1. An Order to recover the filing fee for this application - Section 72.
2. An order to allow access to the unit for the tenant – Section 70

Both parties attended the hearing and provided testimony.

Issue(s) to be Decided

Should the landlord be ordered to allow the tenant access to the unit?

Background and Evidence

The landlord provided a copy of a decision and Order of Possession dated February 24, in which the landlord was given an Order of Possession effective on or before February 28, 2011. The tenant (applicant in this matter) was a party to the hearing of February 24, 2011, acting as agent and husband of the respondent tenant by a different name. The applicant in this matter claims that they have vacated in compliance with that order. The applicant claims that on February 16, 2011 the landlord changed the code on their access fob without giving him notice – impeding his access to the unit. The applicant's claim is to allow them access to the unit.

Analysis

On the face of the evidence this tenancy has come to an end on February 28, 2011, since the tenant filed for dispute resolution, and the tenant no longer requires or is entitled to access of the unit.

The tenant may have recourse via dispute resolution in respect to the impeded access prior to the tenancy ending; but, in respect to this application, the tenant's request for access is no longer necessary. The tenant's application **is dismissed** without leave to reapply.

Conclusion

The tenant's application has been **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*.