



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, RP, FF, O

Introduction

This hearing dealt with the tenants' application pursuant to the *Residential Tenancy Act* (the *Act*) for:

- cancellation of the landlord's 10 Day Notice to End Tenancy for Unpaid Rent (the 10 Day Notice) pursuant to section 46;
- an order to the landlord to make repairs to the rental unit pursuant to section 33;
- authorization to recover their filing fee for this application from the landlord pursuant to section 72; and
- other unspecified remedies.

Both parties attended the hearing and were given a full opportunity to be heard, to present their sworn testimony, to make submissions and to cross-examine one another. The landlord testified that one of the tenants handed him a copy of the tenants' dispute resolution hearing package on April 25, 2012. I am satisfied that this package was served to the landlord in accordance with the *Act*.

At the commencement of the hearing, the female tenant (the tenant) testified that the tenants vacated the rental unit, a manufactured home, on May 13, 2012. Although she has not provided the keys to the rental unit to the landlord, she said that the key is broken in the lock of the door. She said that the tenants have been accessing the rental unit by way of one of the rear windows which they have left unlocked for the final portion of their tenancy. She withdrew her application for dispute resolution and provided the tenants' new forwarding address. The landlord said that as long as he can access the rental unit and the tenants have vacated the rental unit, he had no need to seek an Order of Possession. The tenants' application for dispute resolution is withdrawn.

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 14, 2012

Residential Tenancy Branch