



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, FF

This hearing dealt with the Tenant's Application for Dispute Resolution, seeking an order to cancel a 10 day Notice to End Tenancy for unpaid rent and recover the filing fee for the Application.

Both the Tenant and the Landlord attended the hearing by telephone conference call.

The Tenant explained he had vacated the rental unit. He alleges the Landlord illegally evicted him.

The Landlord explained that the Tenant vacated due to the fact he had purchased a home. The Landlord alleges the Tenant damaged the rental unit.

I explained to both parties that since the Tenant had already vacated the rental unit and the only issue set out in his Application was to cancel the Notice to End Tenancy, that the hearing could go no further. Therefore, I dismiss the Application of the Tenant without leave to reapply.

Both parties are at liberty to apply for other relief under the Act.

This decision is final and binding on the parties, except as otherwise provided under the Act and 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: September 11, 2012.

Residential Tenancy Branch