



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, FF

Introduction

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

- cancellation of the landlord's 1 Month Notice to End Tenancy for Cause (the 1 Month Notice); and
- authorization to recover his filing fee for this application from the landlord pursuant to section 72.

The landlord did not attend this hearing, although I waited until 10:42 a.m. in order to enable her to connect with this teleconference hearing scheduled for 10:30 a.m. The tenant attended the hearing and was given a full opportunity to be heard, to present evidence and to make submissions. The tenant entered written of a copy of the 1 Month Notice the landlord served him to end his tenancy by October 31, 2012. The tenant testified that he handed the landlord a copy of his dispute resolution hearing package on October 14, 2012. I am satisfied that the tenant served the above document to the landlord in accordance with the *Act*.

At the commencement of the hearing, the tenant testified that he ended this tenancy and vacated the rental unit by October 31, 2012.

I advised the tenant that I consider his application to cancel the landlord's 1 Month Notice to be moot, as the tenancy is no longer in effect. Under these circumstances, the tenant's 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: November 14, 2012

Residential Tenancy Branch

