



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, O

Introduction

This hearing dealt with the tenant's application pursuant to section 47 of 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 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 tenant testified that she received the landlord's 1 Month Notice posted on her door on or about January 30, 2013. The landlord confirmed that he received a copy of the tenant's dispute resolution hearing package placed in his mailbox on February 5, 2013. Both parties confirmed having received one another's evidence packages. I am satisfied that the parties served one another with the above documents in accordance with the *Act*.

The parties confirmed that the tenant vacated the rental unit the day before this hearing and returned her key to the landlord. The landlord now has possession of this rental unit.

Although the tenant said that she wished to proceed with this hearing to "clear her name", she confirmed that the tenancy has ended and she has moved. As the only issue before me was the tenant's application to cancel a 1 Month Notice for a tenancy that both parties agreed has ended, I find that the tenant's application is moot at this stage. For this reason, I dismiss the tenant's application 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: March 01, 2013

Residential Tenancy Branch

