



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNR, MND, RR MT, O, FF

Introduction

This was a hearing with respect to applications by the landlord and by the tenants. The hearing was conducted by conference call. The landlord and the named tenant called in and participated in the hearing. The conference call commenced at 10:30 A.M. The tenant ended his call and left the hearing at 10:41 A.M. before the hearing was concluded.

Issue(s) to be Decided

Should the Notice to End Tenancy for unpaid rent be cancelled? Is the landlord entitled to an order for possession?

Is the landlord entitled to a monetary award?

Is the tenant entitled to a monetary award or to a rent reduction?

Background and Evidence

The rental unit is a trailer located on the landlord's rural property. The parties advised me at the outset of the hearing that the tenants have moved out of the rental property. The tenancy has ended and the landlord has possession of the property; he no longer needs an order for possession. At the hearing the tenant said that he was seeking compensation for repairs and utility payments, although he did not provide any bills or invoices to support such a claim. The tenant ended the telephone call after I inquired about copies of bills and invoices.

The landlord said that the rental unit was intended to be occupied for a short term only and the tenants were to have moved out long ago. The landlord said that now that the tenants have vacated the rental property he is no longer interested in pursuing a monetary claim and he will withdraw his claim for a monetary order.

Analysis

The tenants have moved out of the rental property. The tenancy has ended and the landlord has possession of the rental unit. The application to cancel the Notice to End Tenancy and for an order for possession are therefore dismissed without leave to reapply.. The tenant did not remain in the hearing and did not provide evidence to support the granting of a monetary order in any amount. The tenants' claim for a monetary award is dismissed without leave to reapply. At the hearing the landlord abandoned his claim for a monetary award, consequently the landlord's application for a monetary award is dismissed as well.

Conclusion

The tenancy has ended. Both applications have 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*.

Dated: August 12, 2013

Residential Tenancy Branch

