



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Skyline Apartments
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNC, CNR, FF

Introduction

This hearing was convened by way of conference call in response to the tenant's application to set aside the One Month Notice to End Tenancy for cause, along with the 10 Day Notice to End Tenancy for unpaid rent and to recover the filing fee from the landlord for the cost of this application.

The tenant and landlord attended the conference call hearing and gave sworn testimony. At the outset of the hearing the landlord advised that the tenant is no longer residing in the rental unit. The tenant agrees that she has moved out but testifies that the landlord did this against the tenant's wishes. The tenant agrees she is now residing elsewhere.

Analysis

As the tenant has vacated the rental unit then the tenant's application to cancel both of the Notices to End Tenancy no longer has any merit.

The tenant sought to testify about other concerns she had with the tenancy and the landlord however as the tenant has not applied for any other matters to be heard on her application I declined to hear the testimony and suggest that the parties file new applications to deal with any other issues if they so choose too.

Conclusion

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 15, 2013

Residential Tenancy Branch

