



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding MIDDLEGATE DEVELOPMENTS LTD.  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      CNC

### Introduction, Analysis and Conclusion

This hearing dealt with an Application for Dispute Resolution by the tenants under the *Residential Tenancy Act* (the “Act”) to cancel a 1 Month Notice to End Tenancy for Cause (the “1 Month Notice”), and to recover their filing fee.

The tenants and an agent for the landlord (the “agent”) attended the hearing and the parties were affirmed. At the start of the hearing, the tenants testified that they vacated the rental unit on April 30, 2014. The agent confirmed that the tenants vacated the rental unit. As a result, **I find** the tenants’ application is moot as the tenancy ended by the tenants’ own actions when the tenants vacated the rental unit on April 30, 2014. Given the above, **I dismiss** the tenants’ application without leave to reapply. I do not grant the tenants the recovery of their filing fee, as their application has been dismissed.

The tenants then requested to “verbally apply” for monetary compensation for loss of quiet enjoyment. The tenants were advised that such an application was not before me and had not been made in accordance with the *Act* and the Rules of Procedure. I make no findings on the issue of loss of quiet enjoyment as a result.

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: May 6, 2014

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Residential Tenancy Branch

