



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: CNC; FF

Introduction

This Hearing was scheduled to consider the Tenants' Application filed May 9, 2014, to cancel a *One Month Notice to End Tenancy for Cause* issued May 2, 2014 (the Notice).

The parties gave affirmed testimony at the Hearing.

Preliminary Matter

At the outset of the Hearing, the Tenants advised that they are moving out of the rental unit and therefore are not seeking to cancel the Notice. The Tenants testified that they had amended their Application for Dispute Resolution to seek compensation from the Landlord. The Landlord's assistant testified that the Landlord was not served with an amended application, although he did receive a lot of documentary evidence from the Tenants.

The Tenants stated that they did not realize that they had to serve the Landlords with their amended Application.

The parties were confused with respect to service of documents. I explained to the parties that I would not be hearing the Tenants' application for compensation because it was not properly filed, and it was not served upon the Landlords. The Landlord's assistant indicated that the Landlords wanted to file their own application for compensation.

I recommended that both parties speak to an Information Officer with respect to procedural advice.

Conclusion

The Tenants are moving out of the rental unit and are not seeking to cancel the Notice.

Therefore, the Tenants' Application is dismissed.

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: June 27, 2014

Residential Tenancy Branch

