



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, FF

Introduction

This was a hearing with respect to the tenants' application to cancel a 10 day Notice to End Tenancy for unpaid rent. The hearing was conducted by conference call. The named tenant and the landlord called in and participated in the hearing.

Issue(s) to be Decided

Should the Notice to End Tenancy for unpaid rent be cancelled?

Background and Evidence

The tenants applied to cancel a 10 day Notice to End Tenancy for unpaid rent, but since filing the application they have vacated the rental unit. The tenants disagree with the landlord's claim that they owe rent and they wanted to deal with that issue on this application.

The landlord provided evidence that the tenants moved without notice, that they owe rent and that they have caused extensive damage to the rental property. The landlord has not yet filed an application with respect to these matters.

Analysis

The landlord is free to pursue a claim against the tenants for unpaid rent, damage to the rental property and for cleaning and repairs. In order to do so he will have to file his own application for dispute resolution and if the tenants disagree with his claims, they may provide evidence to support their position.

Conclusion

Because the tenants have moved out of the rental property and the tenancy has ended, the tenants application to cancel the Notice to End Tenancy for unpaid rent 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: June 06, 2014

Residential Tenancy Branch

