



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, FF

Introduction

This hearing dealt with the tenants' application pursuant to the *Residential Tenancy Act* (the Act) for:

- cancellation of the landlord's 10 Day Notice to End Tenancy for Unpaid Rent (the 10 Day Notice) pursuant to section 46;
- authorization to recover their filing fee for this application from the landlord pursuant to section 72.

The landlords did not attend this hearing, although I waited until 1110 in order to enable the landlords to connect with this teleconference hearing scheduled for 1100. The tenant DH (the tenant) attended the hearing and was given a full opportunity to be heard, to present sworn testimony, to make submissions and to call witnesses. The tenant confirmed that he had authority to act on behalf of both tenants.

The tenant testified that he and the tenant GH personally served the landlord GD with the dispute resolution package on 3 March 2015. On the basis of this evidence, I am satisfied that the landlords were served with the dispute resolution package pursuant to section 89 of the Act.

Preliminary Issue - Mootness

At the hearing the tenant informed me that the tenants had vacated the rental unit. As the tenants have returned possession of the rental unit to the landlord, there is no need for me to consider the tenants' application to cancel the 10 Day Notice as the issue is now moot.

As such, I decline to proceed with this application.

Conclusion

The tenants' 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 subsection 9.1(1) of the Act.

Dated: April 01, 2015

Residential Tenancy Branch

