



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, FF

Introduction

This hearing was convened by conference call in response to an Application for Dispute Resolution (the “Application”) made by the Tenant to cancel a notice to end tenancy for unpaid rent and to recover the filing fee from the Landlord.

Both parties appeared for the hearing and provided affirmed testimony. At the start of the hearing, the Tenant explained that she had given written notice to the Landlord that she was going to be vacating the rental unit by the end of April 2015. The Tenant confirmed this in the hearing. The Landlord testified that she was satisfied that the Tenant would be vacating the rental unit in accordance with the Tenant’s written notice.

Therefore, as the Tenant will be vacating the rental suite the following day after this hearing, there were no legal findings for me to make on the Tenant’s Application to cancel the notice to end tenancy for unpaid rent as this is now a moot issue.

Furthermore, as the Tenant decided to move out of her own accord and I did not make any findings on the notice to end tenancy, I dismiss the Tenant’s Application to recover the filing fee.

The parties indicated that they had appeared for the hearing to deal with monetary claims against each other. However, neither party had made an Application for a monetary claim and put the other party on sufficient notice of the claim being made against them.

As a result, I informed the parties that they are at liberty to make an Application for their monetary claims. The parties were provided with information on their rights and obligations under the *Residential Tenancy Act*. This information is also available to the parties using the contact details detailed on the last page of this decision.

Conclusion

I dismiss the Tenant's Application without leave to re-apply because the Tenant will be moving out of the rental suite and I have made no findings on the notice to end tenancy because it is now a moot issue. This file is now closed.

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: April 29, 2015

Residential Tenancy Branch

