



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNR, MT, FF

### Introduction

This was a hearing with respect to the tenant's application to cancel a 10 day Notice to End Tenancy for unpaid rent and for an extension of time within which to dispute the Notice to End Tenancy. The hearing was conducted by conference call. The tenant called in and participated in the hearing. The landlord did not attend, although he was served with the application and Notice of Hearing sent by registered mail.

### Issue(s) to be Decided

Should the Notice to End Tenancy be cancelled?

### Background and Evidence

There was an earlier dispute resolution proceeding with respect to this tenancy. A conference call hearing was conducted on March 11, 2015 and a decision was issued on March 12, 2015. In that decision it was noted that the landlord and tenants agreed to abide by a two month Notice to End Tenancy for landlord's use and that the tenants would move out of the rental unit by the end of April, 2015. The tenancy has ended and the tenants have moved out of the rental unit.

Analysis and conclusion

Because the tenancy has ended and the tenants have moved out of the rental unit, there is no remaining issue with respect to a 10 day Notice to End Tenancy issued by the landlord. The tenant's application to cancel that Notice to End Tenancy is dismissed.

If the tenant intends to pursue a claim for the return of her security deposit, she will have to file a fresh application for dispute resolution.

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: May 14, 2015

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Residential Tenancy Branch

