



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNC

### Introduction

A hearing was conducted by conference call in the presence of the applicant and in the absence of the respondent. On the basis of the solemnly affirmed evidence presented at that hearing, a decision has been reached. All of the evidence was carefully considered.

### Issue(s) to be Decided

The issue to be decided are is whether the tenants are entitled to an order cancelling a one month Notice to End Tenancy dated April 29, 2015?

### Background and Evidence

The tenancy began on March 15, 2015. The rent is \$650 per month payable in advance on the 15<sup>th</sup> day of each month. The tenant testified she paid a security deposit of \$650 at the start of the tenancy.

The tenant testified that in late June a court bailiff pursuant to a Writ of Possession enforced the Order for Possession and the tenants were forced to vacate the rental unit. The tenant gave a file number. I searched the file number and it indicates that a real estate company acting for the landlord obtained an Order for Possession and a monetary order in the sum of \$650 for non-payment of rent from the Residential Tenancy Branch by Direct Request. The tenant stated she has no interest in reinstating the tenancy but she wishes the return of her security deposit.

### Analysis:

As the landlord has regained possession and the tenant has no interest in reinstating the tenancy I determined that a determination on the issues in this application are moot. As a result I ordered the application of the tenants is dismissed without leave to re-apply.

The tenant stated she was interested in the return of the security deposit. The tenant as told she should contact an information officer at the Residential Tenancy Branch or a solicitor to determine what rights she has.

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: July 15, 2015

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Residential Tenancy Branch

