



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

### Dispute Codes

For the landlord: OPC, FF

For the tenant: ERP, CNC, OLC, RR, MT, FF

### Introduction and Preliminary Matters

This hearing was convened as a result of the cross applications of the parties for dispute resolution under the Residential Tenancy Act (the “Act”).

The landlord applied for an order of possession for the rental unit pursuant to a 1 Month Notice to End Tenancy for Cause (“Notice”) and for recovery of the filing fee paid for this application.

The tenant applied for an order requiring the landlord to make emergency repairs to the rental unit, an order cancelling the landlord’s Notice, an order requiring the landlord to comply with the Act, regulations, or tenancy agreement, for an order allowing a reduction in rent, for an order granting more time to make an application to cancel a notice to end tenancy, and for recovery of the filing fee paid for this application.

The landlord did not attend the hearing; however, the tenant and her agent were present. The tenant’s agent submitted that she served the landlord with her application for dispute resolution by personal service on the day she vacated the rental unit, on August 26, 2015.

The tenant’s agent stated that the tenant vacated the rental unit several months prior to the hearing.

Analysis and Conclusion

*Landlord's application-*

In the absence of the landlord to present their claim, pursuant to section 10.1 of the Dispute Resolution Rules of Procedure (Rules), I dismiss the landlord's application, without leave to reapply.

*Tenant's application-*

As the tenant has vacated the rental unit, the tenant no longer required consideration of her request seeking cancellation of the Notice, an order for emergency repairs, an order for the landlord's compliance with the Act, and for a reduction in monthly rent, as these are issues in contemplation of an ongoing tenancy.

I therefore dismiss the tenant's application, without leave to reapply.

As I have dismissed both parties' respective applications, I decline to award either party recovery of their filing fee.

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: October 21, 2015

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Residential Tenancy Branch

