



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNL, OLC, FF

Introduction

This was an application by tenants to cancel a landlord use two month Notice to End the Tenancy dated July 31, 2015 with an effective date of September 30, 2015.

Both parties attended the hearing and were given the opportunity to be heard, to present sworn testimony and other evidence, to make submissions, to call witnesses and to question the other. Only evidence that had been traded between the parties was accepted. No issues were raised regarding service of any document.

Issue(s) to be Decided

Is the landlord entitled to an Order for possession or will the tenancy continue?

Background and Evidence

At the outset of the hearing the tenants advised that they had moved out of the unit as of October 31, 2015.

Analysis

As the tenants had moved out of the unit, they have effectively accepted that the tenancy is at an end. Accordingly their application to cancel the Notice is moot or no longer available.

Conclusion

I have dismissed the tenants' applications herein. There will not be any order as to the recovery of the 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: November 03, 2015

Residential Tenancy Branch

