



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding CAMBIE MALONES CORP.  
and [tenant name suppressed to protect privacy]

## DECISION

### Dispute Codes

For the landlord: OPR MNR FF  
For the tenant: MT DRI CNR

### Introduction

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 unpaid rent or utilities, for a monetary order unpaid rent or utilities, and to recover the cost of the filing fee.

The tenant applied for more time to submit an application to cancel a notice to end tenancy, to cancel a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities (the “10 Day Notice”) dated September 1, 2015, and to dispute an additional rent increase.

The tenant attended the teleconference hearing scheduled for this date, Friday, November 6, 2015 at 9:30 a.m., Pacific Time. The landlord did not attend the hearing. As the landlord did not attend the hearing to present the merits of their application, and the tenant did attend and were ready to proceed, the landlord’s application was **dismissed, without leave to reapply**, after the 10 minute waiting period had elapsed.

The tenant testified that he vacated the rental unit at the end of September 2015, and as a result, I find that the tenant’s application is now moot as the tenancy ended when the tenant vacated the rental unit at the end of September 2015.

Conclusion

The landlord's application is dismissed in full without leave to reapply.

The tenant's application is now moot as the tenant has vacated the rental unit at the end of September 2015 and the tenancy ended effectively when the tenant vacated the rental unit.

This decision is final and binding on the parties, unless otherwise provided under the Act, and 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 6, 2015

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Residential Tenancy Branch

