



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      OPL OPC MNR MNSD MNDC O FF  
MT CNC

### Introduction

This hearing was convened to hear matters pertaining to cross Applications for Dispute Resolution filed by the Landlords and the Tenant. The Landlords filed on October 20, 2015 seeking Orders of Possession and amended their application to include a monetary order request on October 23, 2015. The Tenant filed on October 15, 2015 seeking for time to make his application and an order to cancel a 1 Month Notice to end tenancy for cause.

The hearing was conducted via teleconference and was attended by both Landlords and the Tenant. Each person gave affirmed testimony and confirmed receipt of the application and hearing documents submitted by the other.

The male Landlord testified that he would be submitted all of the evidence on behalf of the Landlords. Therefore, for the remainder of this decision, terms or references to the Landlords importing the singular shall include the plural and vice versa, except where the context indicates otherwise

Both parties were provided with the opportunity to present relevant oral evidence, to ask relevant questions, and to make relevant submissions. Following is a summary of those submissions and includes only that which is relevant to the matters before me.

### Issue(s) to be Decided

1. Has the Tenant vacated the rental unit that pertained to the Notice to end tenancy?
2. Do the Landlords wish to proceed with their request for monetary compensation?

### Background and Evidence

On October 2, 2015 the Landlords served the Tenant a 1 Month Notice to end tenancy for cause by posting the Notice to the Tenant's door in the presence of a witness. The Tenant testified he received the Notice that same day when he opened the door while the Landlord was standing there and told him the Notice had been posted to the door.

The Landlord stated that the Tenant vacated the rental unit at the beginning of December 2015. The Landlords submitted that all monetary issues were dealt with and the security deposit was returned to the Tenant. Therefore, they were withdrawing their request for monetary compensation and were willing to forego the request for the filing fee.

The Tenant confirmed he had vacated the property and that he understood that his application was now moot.

### Analysis

I accept the undisputed evidence that the Tenant vacated the property at the beginning of December 2015 rendering his application for Dispute Resolution Moot.

The Landlords withdrew their application and the request for the filing fee. They testified that all monetary issues had been dealt with. Accordingly, no further action is required.

### Conclusion

The Tenant's application was moot as he vacated the property prior to the hearing. The Landlords withdrew their application and submitted that all monetary issues had been dealt with.

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: December 21, 2015

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Residential Tenancy Branch

