



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, OLC, O

Introduction

The tenant applies to cancel a ten day Notice to End Tenancy dated January 19, 2016 and or an order that the landlord comply with the law or the tenancy agreement and for “other” unspecified relief.

The landlord did not attend the hearing within twenty minutes after its scheduled start time.

Even though the notice of hearing for this matter does not appear to have been issued by the Residential Tenancy Office until January 25, 2015, the tenant swears that she personally served the landlord with the application and notice of hearing on January 22, 2016.

In the related file shown on the cover page, the landlord obtained an order of possession on February 4, 2016. That order has been enforced and the tenant has vacated the premises.

An application for review of that earlier decision was dismissed.

Whether or not the landlord has been duly served, as this tenancy has ended, the question of the validity of the ten day Notice has no meaning for either party. Cancellation of it would not reinstate the tenancy, ended in the earlier dispute hearing.

Further, as the tenancy has ended, a compliance order would not be issued, even had it been shown to be justified.

The “other” relief claimed could not be awarded as it has not been particularized.

For these reasons, the tenant’s application must be dismissed.

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: March 09, 2016

Residential Tenancy Branch

