



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes cnr, ff, olc

Introduction

The tenant has applied for dispute resolution, seeking an order cancelling a 10 day Notice to End Tenancy (the "Notice") given for unpaid rent or utilities, and an order that the landlord comply with the Residential Tenancy Act.

Issues to Be Decided

- Should the Notice be cancelled?

Background and Evidence

The parties confirmed at the hearing that the tenants had moved out.

The landlord also submitted he wished to seek a monetary claim as against the tenants.

Analysis

Since the tenants have already vacated, the tenancy has ended, and the tenants' claim to cancel the Notice or for the landlord's compliance is now moot. The tenants' claim is therefore dismissed.

If the landlord has a claim to advance as against the tenants, he must initiate his claim with an Application for Dispute Resolution, and ensure such claim is served upon the tenants. No order is appropriate in the absence of a formal claim.

Conclusion

The tenant's claim is 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: June 08, 2016

Residential Tenancy Branch