



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR

Introduction

This hearing was scheduled to deal with a tenant's application to cancel a 10 Day Notice to End Tenancy for Unpaid Rent and Utilities. Both parties appeared or were represented at the hearing and were provided the opportunity to make relevant submissions, in writing and orally pursuant to the Rules of Procedure, and to respond to the submissions of the other party.

At the outset of the hearing the tenant stated that he has already vacated the rental unit. The landlord confirmed that to be true.

Since the tenant has already moved out, and vacating a rental unit brings a tenancy to an end under section 44 of the Act, I found it to be a moot point to make a decision as to whether the 10 Day Notice should stand or be cancelled. Nor was it necessary to determine whether the landlord is entitled to receive an Order of Possession since the landlord has already regained possession of the rental unit. Accordingly, I consider this matter resolved and this application is dismissed.

The parties mentioned another dispute resolution hearing that is scheduled for November 2016. The parties were informed that that hearing remains scheduled unless it is rescheduled or cancelled. The parties were informed that there are procedures in place in order to reschedule or cancel a hearing and I encouraged the parties to contact an Information Officer with the Residential Tenancy Branch should they have any questions regarding tenancy related requirements or dispute resolution proceedings.

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: July 06, 2016

Residential Tenancy Branch