



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNR FF

### Introduction

This hearing dealt with the tenant's application pursuant to the *Residential Tenancy Act* ("the *Act*") for cancellation of the landlord's 10 Day Notice to End Tenancy for Unpaid Rent ("10 Day Notice") pursuant to section 46 and authorization to recover the filing fee for this application from the landlord pursuant to section 72. Both parties (two tenants, an interpreter and the landlord) attended the hearing and were given a full opportunity to be heard, to present their sworn testimony, and to make submissions.

The tenants, through their interpreter testified that they had vacated the rental unit. The landlord stated that the tenants had not yet returned the keys to the rental unit but had moved out. In this case, the tenants' application is moot in that the substantive issues of possession of the rental unit have been resolved. On review of the nature of the tenants' application, the tenants withdrew their application and the parties independently discussed resolution of outstanding issues.

### Conclusion

The tenant withdrew the application to cancel the 10 Day Notice to End Tenancy and to recover the filing fee.

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 12, 2016

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Residential Tenancy Branch