



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Town and Country Realty
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes FF MNSD O OLC PSF

Introduction

This hearing dealt with an application by the tenant for an order cancelling the landlord's 2 Month Notice to End Tenancy dated September 2, 2016, an order for return of the tenant's security deposit, an order that the landlord comply and an order that the landlord provide services or facilities required by law. The tenant also requested recovery of her \$100 filing fee from the landlord. Both parties attended the hearing and had an opportunity to be heard.

Issue(s) to be Decided

Is the tenant entitled to the requested orders?

Background and Evidence

This tenancy began on March 1, 2010. The rent was \$1350. A security deposit of \$675 was paid at the start of the tenancy. On September 2, 2016 the landlord served the tenant with a 2 Month Notice to End Tenancy for Landlord's Use of Property and ended on November 2, 2016 when the tenants vacated the rental unit. The tenant advised that she has not yet provided the landlord with her forwarding address in writing. The landlord confirmed that he is still holding the tenant's security deposit.

Analysis

The tenant has requested an order cancelling the landlord's Notice to End Tenancy. However, since the tenant has vacated the rental unit, such an order is no longer relevant.

The tenant has also requested that the landlord return her security deposit. However, the tenant has not yet provided her forwarding address in writing to the landlord and the

parties have not yet done a move-out inspection of the rental unit. This application by the tenant is therefore premature.

The remaining requests made by the tenant are no longer in issue because the tenancy has come to an end.

Conclusion

I dismiss the tenant's application for return of her security deposit with leave to reapply.

The balance of the tenant's application is dismissed.

I dismiss the tenant's request to recover her filing fee from the landlord.

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: November 08, 2016

Residential Tenancy Branch