



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding PEMBERTON HOLMES
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes MT, CNC, FF

Introduction

This hearing dealt with an Application for Dispute Resolution by the tenants to allow more time to make an application to cancel a Notice to End Tenancy, to cancel a 1 Month Notice to End Tenancy for Cause (the "Notice") issued October 15, 2016 and to recover the filing fee from the landlord.

Both parties appeared.

Preliminary and Procedural matter

At the outset of the hearing the tenant JC indicated that they have vacated the rental premise. JC stated that their co-tenant TC will vacated the premise by December 15, 2016.

Since the tenants have already made the decision to vacate the rental premises by December 15, 2016, which is after the effective date of the Notice. I find in not necessary to consider the merits of the Notice. Therefore, I dismiss the tenants' application.

As I have dismissed the tenants' application. I find the landlord is entitled to an order of possession, pursuant to section 55 of the Act, effective **two days** after service on the tenants. This order may be filed in the Supreme Court and enforced as an order of that Court.

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: December 13, 2016

Residential Tenancy Branch

