



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR RR

Introduction

This hearing dealt with an Application for Dispute Resolution (the “Application”) by the tenants under the *Residential Tenancy Act* (the “Act”) to cancel a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities dated February 1, 2017 (the “10 Day Notice”) and for a rent reduction.

Tenant B.D. (the “tenant”) attended the hearing. At the start of the hearing, the tenant testified that he decided to vacate the rental unit on February 28, 2017, after filing the Application on February 7, 2017. As a result, I find the tenants’ application is now moot as the tenancy ended on February 28, 2017 the date the tenant vacated the rental unit.

Given the above, I dismiss the tenants’ application to cancel the 10 Day Notice as the tenancy has ended.

Preliminary and Procedural Matter

Rule 2.3 of the Residential Tenancy Branch Rules of Procedure authorizes me to dismiss unrelated disputes contained in a single application. The tenant indicated two matters of dispute on the Application for Dispute Resolution, the most urgent of which is the application to set aside the 10 Day Notice. Therefore, at the outset of the hearing, I determined that the claims on this Application for Dispute Resolution were not sufficiently related to be determined during this proceeding. Therefore, the tenant was advised that I would only consider the tenant’s request to set aside the 10 Day Notice at this proceeding. The tenant’s application for a rent reduction is dismissed with leave to reapply as a result.

Conclusion

The tenant's application to cancel the 10 Day Notice is dismissed as it is now moot. The tenancy has ended.

The tenant has leave to reapply for a rent reduction, if the tenant so chooses; however my decision does not extend any applicable timelines under the *Act*.

This decision is final and binding on the parties, except as otherwise provided under the Act, and 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: March 9, 2017

Residential Tenancy Branch