



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, LRE

Introduction

On April 26, 2017, the Tenant made an Application for Dispute Resolution to cancel a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities (“the Notice”) dated April 25, 2017.

The Landlords and the Tenant Ms. N.O. attended the hearing. Both parties were provided the opportunity to present their evidence orally and in written and documentary form, and to make submissions at the hearing.

I have reviewed all oral and written evidence before me that met the requirements of the rules of procedure. However, only the evidence relevant to the issues and findings in this matter are described in this Decision.

Preliminary Issues

The Tenant testified that she moved out of the rental unit on May 6, 2017. She testified that she does not feel safe living there and is not seeking an order of possession to move back into the rental unit.

Background and Evidence

The Landlord testified that the tenancy began on March 1, 2015, as a month to month tenancy. Rent in the amount of \$1,000.00 per month is to be paid on the first day of each month. The Tenant did not pay a security deposit to the Landlord.

The Landlord issued a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities dated April 25, 2017.

The Tenant disputed the 10 Day Notice on April 26, 2017, but moved out of the rental unit on May 6, 2017, prior to the hearing.

Analysis

Section 44 of the Act states that a tenancy ends if a tenant vacates or abandons the rental unit.

Based on the above, the testimony and evidence, and on a balance of probabilities, I find as follows:

I find that the tenancy ended when the Tenant vacated the rental unit on May 6, 2017. The Tenant disputed the notice to end tenancy and appeared at the hearing; however, since she already moved out of the unit, there was no need to proceed with the hearing.

The Tenant's application to dispute the 10 Day Notice to End Tenancy for Unpaid Rent or Utilities dated April 25, 2017 is dismissed.

Conclusion

The Tenant moved out of the rental unit prior to the hearing. The Tenant's application to dispute the 10 Day Notice to End Tenancy for Unpaid Rent or Utilities dated April 25, 2017 is dismissed in its entirety.

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: June 02, 2017

Residential Tenancy Branch