



# Dispute Resolution Services

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## Residential Tenancy Branch Office of Housing and Construction Standards

A matter regarding BC Housing Management Commission  
and [tenant name suppressed to protect privacy]

### **DECISION**

Dispute Codes CNR

#### Introduction

This hearing was convened as a result of the Tenant's Application for Dispute Resolution. The participatory hearing was held on September 15, 2017. The Tenant applied for the following relief, pursuant to the *Residential Tenancy Act* (the "Act"):

- to cancel a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities (the 10 Day Notice).

The Landlord's agent, W.S., attended the hearing and provided affirmed testimony. The Tenant also attended the hearing and provided affirmed testimony. Both parties were provided the opportunity to present evidence orally and in written and documentary form, and to make submissions to me. 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 Matters

During the hearing, the Tenant testified that he has now moved out of the rental unit. As such, I find the Tenant's application to cancel the 10 day Notice is no longer required and I dismiss it without leave to reapply. Further, as the landlord has regained possession of the rental unit, they no longer required an order of possession, pursuant to section 55 of the *Act*.

#### Conclusion

I dismiss the Tenant's application without leave to reapply.

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: September 15, 2017

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**Residential Tenancy Branch**

