



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNR, MND, MNSD, FF

### Introduction

This hearing dealt with an Application for Dispute Resolution by the tenants to cancel a 10 Day Notice to End Tenancy for Unpaid Rent, for a monetary order for money owed or compensation under the Act.

On February 22, 2018, the tenants filed an amended application increasing their monetary claim.

Rule 2.3 of the Residential Tenancy Branch Rules of Procedure authorizes me to dismiss unrelated disputes contained in a single application. In these circumstances the tenants indicated several matters of dispute on the Application for Dispute Resolution, the most urgent of which is the application to set aside the Notice to End Tenancy.

I find that not all the claims on this Application for Dispute Resolution are sufficiently related to be determined during these proceedings. I will, therefore, only consider the tenant's request to set aside the Notice to End Tenancy as this hearing date was scheduled early for this reason.

Further, I find increasing their monetary claim three weeks prior to the commencement of the hearing is unfair and prejudicial to the landlord. Therefore, I dismiss the tenants' monetary claims with leave to reapply.

### Preliminary matter

At the outset of the hearing the tenants indicated they vacated the rental unit on February 2, 2018. Since this hearing was scheduled early based on the notice to end tenancy, and the tenants have now vacated the premises. I dismiss the tenants'

application to cancel the 10 Day Notice to End Tenancy. I find the tenancy has legally ended.

Conclusion

The tenants' vacated the rental unit. The tenants' application to cancel the 10 Day Notice to End Tenancy is dismissed.

The tenants' monetary claims are dismissed with 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: March 23, 2018

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Residential Tenancy Branch