



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, FFT (Tenant)
 OPC, FFL (Landlord)

Introduction

This hearing was convened by way of conference call in response to an Application for Dispute Resolution filed by the Tenant on May 7, 2018 (the “Tenant’s Application”). The Tenant applied to dispute a One Month Notice to End Tenancy for Cause dated April 30, 2018 (the “Notice”). The Tenant also sought reimbursement for the filing fee.

The Tenant appeared at the hearing with the Witness. I asked the Witness to exit the conference call until required and he did so. The Landlord appeared at the hearing with the Agent for the Landlord’s Counsel. The Landlord has a court condition not to have direct or indirect contact with the Tenant. I explained to the parties that all evidence and submissions had to be directed to me and not each other. The Agent spoke for the Landlord at the hearing.

The Landlord had filed an Application for Dispute Resolution on May 10, 2018 (the “Landlord’s Application”). The Landlord sought an Order of Possession based on the Notice. The Landlord also sought reimbursement for the filing fee. The hearing for the Landlord’s Application was scheduled for July 6, 2018.

Given the Tenant’s Application and Landlord’s Application related to the same issue, I asked the Agent if the Landlord wanted to join the Landlord’s Application with the Tenant’s Application and he confirmed she did. The Tenant did not take issue with this. I joined the Landlord’s Application with the Tenant’s Application (the “Applications”) pursuant to rule 2.10 of the Rules of Procedure.

The Tenant advised at the outset of the hearing that she moved out of the rental unit May 31, 2018. The Agent agreed with this. I advised the parties it was my view the

Applications were moot. After some discussion in this regard, both parties agreed and withdrew the Applications. Both parties were content with the other withdrawing their application. The Landlord agreed to bear the cost of the filing fee for the Landlord's Application. After some discussion with the Tenant in this regard, the Tenant agreed to bear the cost of the filing fee for the Tenant's Application.

Conclusion

The Applications are withdrawn.

The parties are no longer required to attend the hearing on July 6, 2018 for the Landlord's Application as it was joined with the Tenant's Application and dealt with in this hearing.

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 12, 2018

Residential Tenancy Branch