



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes

Tenants' Application made April 11, 2018: CNL; OLC; FF
amended May 9, 2018 to include: CNC

Introduction

This is the Tenants' Application for Dispute Resolution made April 11, 2018, seeking to cancel a 2 Month Notice to End Tenancy for Landlord's Use of Property; an unspecified Order; and to recover the cost of the filing fee from the Landlord. The Application was amended on May 9, 2018, to include an application to cancel a 1 Month Notice to End Tenancy for Cause.

The Tenants attended the Hearing, which took place by teleconference at 10:30 a.m. on June 12, 2018. The Landlord did not attend the Hearing, which remained open until 10:45 a.m.

The Tenant MO gave affirmed testimony. He testified that he mailed the Tenant's Notice of Hearing documents, by registered mail, to the Landlord on April 14, 2018. He testified that he also mailed the Tenant's amended Application to the Landlord, by registered mail, on May 5, 2018. MO gave the tracking numbers for the two registered parcels. I am satisfied that the Landlord was duly served with the documents by registered mail.

At the outset of the Hearing, MO testified that the Tenants moved out of the rental unit on May 30, 2018. He stated that the Tenants were seeking compensation under the Act equivalent to one month's rent, because of the 2 Month Notice.

I explained that the Tenants could make an Application for compensation, but that it was not currently before me and therefore we could not deal with it today. The Tenant MO

then stated that the Tenants were forcibly removed from the rental unit by the Landlord on May 30, 2018.

I also advised the Tenant MO that the Tenants' request for the Landlord to comply with the Act, regulation or tenancy agreement is not complete because the Tenants did not indicate which section of the Act, regulation or tenancy agreement they wished the Landlord to comply with.

Conclusion

The Tenants' Application to cancel the Notices to End Tenancy is dismissed as the tenancy ended on May 30, 2018. The Tenants are at liberty to make another Application seeking compensation if they so desire.

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