



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNL, FFT, OLC

Introduction

This hearing was convened by way of conference call in response to an Application for Dispute Resolution filed by the Tenant on July 11, 2018 (the “Application”). The Tenant applied to dispute a Two Month Notice to End Tenancy for Landlord’s Use of Property dated July 1, 2018 (the “Notice”). The Tenant also applied for an order that the Landlord comply with the *Residential Tenancy Act* (the “Act”), *Residential Tenancy Regulation* (the “Regulations”) and/or the tenancy agreement. The Tenant sought reimbursement for the filing fee.

The Tenant appeared at the hearing. S.R. is the daughter of the Landlord and appeared for the Landlord given a language barrier. The Landlord was also present.

The Tenant advised at the outset that he is no longer living at the rental unit. He said the request for the Landlord to comply with the *Act*, *Regulations* and/or the tenancy agreement relates to the effective date of the Notice as the Landlord gave him the Notice July 1, 2018 but should have served it June 30, 2018.

I told the Tenant it was my view he accepted the Notice and therefore could no longer dispute it. I also told the Tenant that his request for the Landlord to comply with the *Act*, *Regulations* and/or the tenancy agreement is no longer an issue as he accepted the Notice and vacated the rental unit.

I decline to award the Tenant reimbursement for the filing fee given he disputed the Notice but then accepted it and vacated the rental unit.

Conclusion

The Application is dismissed without leave to re-apply.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Act*.

Dated: September 10, 2018

Residential Tenancy Branch