



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OLC, FFT

Introduction

This hearing dealt with the tenants' application pursuant to the *Residential Tenancy Act* (the *Act*) for:

- an order requiring the landlord to comply with the *Act*, regulation or tenancy agreement pursuant to section 62; and
- authorization to recover the filing fee for this application from the landlord pursuant to section 72.

Landlord B.G. (the landlord) and Tenant B.P.L. attended the hearing and were given a full opportunity to be heard, to present sworn testimony, to make submissions and to call witnesses.

The landlord acknowledged receipt of the Application for Dispute Resolution (the Application) which was personally served. In accordance with section 89 of the *Act*, I find that the landlord was duly served with the tenant's Application and evidence.

At the outset of the hearing the tenant testified that both tenants have moved out of the rental unit and that they were seeking for the landlord to comply with a tenancy agreement regarding the payment of utilities. The tenant attempted to settle a monetary amount with the landlord but no agreement could be reached.

The landlord confirmed that they have possession of the rental unit.

Analysis

As there is no monetary remedy being sought in connection with the tenant's request for the landlord to comply with the *Act* and the tenants have moved out of the rental unit, I find that their request to have the landlord comply with the *Act* is no longer applicable. For this reason I dismiss the tenants' Application to have the landlord comply with the *Act*, without leave to reapply.

As the tenants have not been successful in their application, their request to recover the filing fee is dismissed, without leave to reapply.

Conclusion

I dismiss the tenants' Application in its entirety, 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: December 03, 2018

Residential Tenancy Branch