



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNL, CNR, OLC, AS

### Introduction

This hearing dealt with an Application for Dispute Resolution (the Application) pursuant to the *Residential Tenancy Act* ("the *Act*") for:

- cancellation of the landlord's Two Month Notice to End Tenancy for Landlord's Use of Property (the Two Month Notice) pursuant to section 49;
- cancellation of the landlord's 10 Day Notice to End Tenancy for Unpaid Rent (the 10 Day Notice) pursuant to section 46;
- an order allowing the tenant to assign or sublet because the landlord's permission has been unreasonably withheld pursuant to section 65; and
- an order requiring the landlord to comply with the *Act*, regulation or tenancy agreement pursuant to section 62.

The landlord, the landlord's agent and the tenant attended the hearing and were given a full opportunity to be heard, to present their sworn testimony, to make submissions, to call witnesses and to cross-examine one another.

At the outset of the hearing the landlord and the tenant agreed that the tenant has moved out of the rental unit as of December 15, 2018.

### Analysis

As the landlord and tenant agreed that this tenancy has ended, the tenant's Application to dispute the Two Month Notice and to dispute the 10 Day Notice are dismissed without leave to reapply.

Pursuant to section 55 of the *Act*, if the tenant's application to cancel a notice to end tenancy is dismissed, the landlord is entitled to an Order of Possession if it meets the requirements of section 52 of the *Act*.

As the landlord testified that they do not require an Order of Possession, I do not issue an order of possession to the landlord.

As this tenancy has ended I find that the other remedies sought under the Act by the tenant, to assign or sublet the rental unit and to have the landlord comply with the Act, are no longer applicable and they are dismissed without leave to reapply.

Conclusion

The tenant's Application is dismissed, 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: January 18, 2019

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Residential Tenancy Branch