



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR

Introduction

This hearing was convened as a result of the Tenant's Application for Dispute Resolution ("Application") under the *Residential Tenancy Act* ("Act") to cancel a 10 Day Notice to End Tenancy dated January 9, 2019 ("10 Day Notice"),.

The Tenant and the Landlord appeared at the teleconference hearing and gave affirmed testimony. I explained the hearing process to the Parties and gave them an opportunity to ask questions about the hearing process. The Parties were given the opportunity to submit documentary evidence prior to the hearing and to present affirmed testimony.

Preliminary and Procedural Matters

Neither party raised any concerns regarding the service of the Application, Notice of hearing or the documentary evidence.

At the outset of the hearing, the Tenant advised that he had moved out of the rental unit on February 3, 2019, but that he wanted to "clear his name". He provided some evidence about the high cost of hydro in the rental unit, because of the condition of the windows. However, I ended the Tenant's submissions and confirmed that he was no longer living in the rental unit. I said the issue before me was his Application to cancel the 10 Day Notice, which was now moot, as the Tenant had permanently moved out of the rental unit.

I dismissed his application without leave to reapply, although, I informed the Parties that they may apply for other matters relating to the tenancy.

Conclusion

The Tenant's Application to dismiss the 10 Day Notice is dismissed as now moot; the tenancy ended on February 3, 2019, which the Parties confirmed in the hearing.

This decision is final and binding on the Parties, except as otherwise provided under the *Act*, and 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: March 7, 2019

Residential Tenancy Branch