



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes FFT, FFL, OPC, CNC

Introduction

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

- cancellation of the landlord's 1 Month Notice to End Tenancy for Cause (the 1 Month Notice) pursuant to section 47; and
- authorization to recover their filing fee for this application from the landlord pursuant to section 72.

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

- an Order of Possession pursuant to section 55; and
- authorization to recover the filing fee for this application from the tenant, pursuant to section 72.

The landlord participated in the teleconference, the tenant did not. At the outset of the hearing the landlord advised that he was granted an order of possession by an Arbitrator in a hearing a week prior to this one. The landlord advised that the tenant has vacated and that he has taken possession of the unit. The line remained open for ten minutes to allow the tenant to join us but he chose not to. The landlord advised that he no longer required this hearing. Based on the above, I hereby dismiss both applications without leave to reapply.

Conclusion

Both parties' applications are dismissed in their 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: May 27, 2019

Residential Tenancy Branch