



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR

Introduction

This hearing dealt with an Application for Dispute Resolution by the tenant to cancel a 10 Day Notice for Unpaid Rent.

Both parties appeared.

At the outset of the hearing, I noted that the tenants have not named the incorrect landlord. Therefore, I have amended the style of cause to reflect the proper name of the landlord.

The landlord's agent stated that the tenants have vacated the premises. The tenant confirmed that they have vacated the premise and only disputed the notice to get more time to vacate.

Since the tenants have vacated the rental premise. I find I do not need to consider the tenants' application. Therefore, I dismiss the tenants' application without leave to reapply.

However, I find the tenants' application was an abusive of process, as the tenants filed an application that has no merit. Further, the tenants should have cancelled the hearing with the consent of the landlord, when they vacated the premises, so the hearing scheduled could have been used for another dispute.

The tenants are cautioned should they file applications in the future that are found to be an abuse of the system; they may be subject to administrative penalties.

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 24, 2019

Residential Tenancy Branch