



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding LMLTD HOLDINGS CORPORATION
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes RP, OLC, MT, CNR

Introduction

On April 17, 2019, the Tenants submitted an Application for Dispute Resolution under the *Residential Tenancy Act* (“the Act”) requesting more time to dispute a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities; for an order that the Landlord make repairs to the unit, and for the Landlord to comply with the Act, Regulation, or tenancy agreement.

The matter was scheduled as a teleconference hearing. The Landlord and Tenant attended the hearing. The hearing process was explained and the participants were asked if they had any questions.

I have reviewed all oral and written evidence before me that met the requirements of the Rules of Procedure. However, only the evidence relevant to the issues and findings in this matter are described in this Decision.

Preliminary and Procedural Matters

On April 15, 2019, the Landlord applied for Dispute Resolution. The matter proceeded by way of an ex parte Direct Request Proceeding, pursuant to section 55(4) of the *Residential Tenancy Act*. The Landlord was seeking an order of possession for the rental unit due to unpaid rent or utilities and for a monetary order to recover unpaid rent or utilities from the Tenants. The Landlord submitted an undisputed 10 Day Notice to End Tenancy dated April 4, 2019, for \$900.00 in unpaid rent, and written submissions of the Landlord.

The ex-parte review was completed and a Decision issued on April 23, 2019. The Landlord was granted an order of possession for the rental unit effective two days after service on the Tenants.

On April 30, 2019, the Tenants submitted an application for a review of the Decision. The Tenants application was considered and a Decision was made on May 7, 2019 dismissing the application and confirming the order of possession and monetary order dated April 23, 2019.

I find that the tenancy has already ended based on the issuance of a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities dated April 4, 2019.

A tenancy can only end once. Since the tenancy has already ended, the Tenants' application to cancel the 10 Day Notice to End Tenancy for Unpaid Rent or Utilities dated April 4, 2019 is dismissed. Since the tenancy has ended there is no need to proceed with the Tenants request for repairs to the unit.

Conclusion

The tenancy has ended. The Landlord was granted an order of possession for the rental unit on April 23, 2019.

The Tenants' application requesting more time to dispute a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities; for an order that the Landlord make repairs to the unit, and for the Landlord to comply with the Act, Regulation, or tenancy agreement is dismissed in its entirety.

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: June 04, 2019

Residential Tenancy Branch