Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes   CNC, CNL, OLC, FFT

Preliminary and Procedural Matters

This hearing dealt with an Application for Dispute Resolution by the tenants under the Residential Tenancy Act (the "Act") seeking an order cancelling the landlords' One Month Notice to End Tenancy for Cause, an order cancelling the landlords' Two Month Notice to End Tenancy for Landlord's Use of Property, an order compelling the landlords to comply with the Act, regulation or tenancy agreement, and to recover the cost of the filing fee.

The tenants, the landlords and the landlord's agent attended the hearing.

At the start of the hearing, in response to my inquiry caused by the documentary evidence submitted prior to the hearing, the tenants testified that they decided to vacate the rental unit on or about July 1, 2019, after filing their application on June 20, 2019.

As a result, I find the tenants' application is moot as the tenancy ended on or about July 1, 2019, the date the tenants vacated the rental unit.

Additionally, as the tenancy ended prior to the hearing, it was no longer necessary to consider the tenants' request for an order requiring the landlords to comply with the Act, as this issue in this circumstance involves an ongoing tenancy.

Given the above, I dismiss the tenants' application to cancel the 1 Month Notice to End the Tenancy for Cause, the Two Month Notice to End Tenancy for Landlord's Use of Property and for an order compelling the landlords to comply with the Act as the tenancy has ended.

I do not grant the tenants the recovery of the cost of the filing fee as well as they ended the tenancy prior to the hearing.

Conclusion

The tenants' application is dismissed as it is now moot.

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: August 13, 2019

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Residential Tenancy Branch