



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNR

### Preliminary and Procedural Matters

This hearing dealt with an Application for Dispute Resolution by the tenant under the Residential Tenancy Act (the “Act”) seeking an order cancelling the landlords’ 10 Day Notice to End Tenancy for Unpaid Rent (“Notice”).

The tenant and his representative attended the hearing; the landlords did not attend.

The tenant submitted evidence that the landlords were served with his Application for Dispute Resolution and Notice of Hearing by registered mail. The tenant provided the copy of the Canada Post Customer Receipts containing the Tracking Numbers to confirm this mailing, shown on the style of cause page of this Decision.

Based upon the submissions of the tenant, I accept the landlords were served notice of this hearing and the tenant’s application in a manner complying with section 89(1) of the Act and the hearing proceeded in the landlords’ absence.

At the start of the hearing, in response to my inquiry prompted by my consideration of the documentary evidence submitted prior to the hearing, the tenant testified that he vacated the rental unit on August 31, 2019, after filing his application on July 7, 2019.

As a result, I find the tenant’s application seeking to cancel the Notice in order to continue the tenancy is moot as the tenancy ended on August 31, 2019, the date the tenant vacated the rental unit.

Given the above, I dismiss the tenant’s application to cancel the 10 Day Notice to End Tenancy for Unpaid Rent.

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

Conclusion

The tenant's 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: September 5, 2019

---

Residential Tenancy Branch