



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes ERP FFT

Introduction

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

- an order to the landlord to make emergency repairs to the rental unit pursuant to sections 33 and 62; and,
- authorization to recover the filing fee for this application pursuant to section 72.

Both parties attended the hearing and agreed that the tenants had vacated the rental unit prior to the hearing. Section 62(4)(b) of the *Act* states that an arbitrator may dismiss all or part of an application for dispute resolution which does not disclose a dispute that may be determined under the *Act*. I find that since the tenants have vacated the rental unit prior to the hearing that the tenants' application for emergency repairs is now moot. Accordingly, I exercise my authority under section 62(4)(b) of the *Act* to dismiss the tenants' application for emergency repairs.

Furthermore, since the tenants have not prevailed on their application for emergency repairs, I also dismiss the tenants' application for reimbursement of the filing fee pursuant to section 72.

For the forgoing reasons, I dismiss the tenants' application for dispute resolution in its entirety.

Conclusion

The tenants' application for dispute resolution 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: November 14, 2019

Residential Tenancy Branch