



Dispute Resolution Services

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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 tenants to cancel a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities.

Both parties appeared.

At the outset of the hearing counsel for the tenants stated that the tenants were locked out of the rental unit on November 7, 2019 and have found temporary living accommodations.

Counsel for the tenants submit that the tenants seek to recover their security deposit. The tenants confirmed they have not provided their forwarding address to the landlords.

As the tenants are no longer living in the rental unit, I find it not necessary to consider the merits of the notice to end tenancy. The tenants seek the return of the security deposit; however, that request is premature as the tenants have not complied with the provision of section 38 of the Act, by providing the landlords with their forwarding address in writing.

Conclusion

The tenants are no longer living in the rental unit. Therefore, I find it not necessary to consider the merits of the notice to end tenancy. The tenants request for the return of the security deposit is premature as they have not provided the landlords with their forwarding address in accordance with the Act.

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: December 12, 2019

Residential Tenancy Branch