Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

<u>Dispute Codes</u>   CNR

<u>Preliminary and Procedural Matters</u>

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

The tenant attended the hearing; the landlord did not attend.

The tenant submitted evidence that the landlord was served with this 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.

Based upon the submissions of the tenant, I accept the landlord was 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 landlord's 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 said that she vacated the rental unit on January 1, 2020, after filing her application on December 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 January 1, 2020, 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.

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: February 3, 2020

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Residential Tenancy Branch