



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      CNC, FFT

### Introduction

In this dispute, the tenants sought to cancel a One Month Notice to End Tenancy for Cause (the “Notice”) pursuant to section 47 of the *Residential Tenancy Act* (the “Act”). They also sought recovery of the filing fee under section 72 of the Act.

The tenants applied for dispute resolution on January 24, 2020 and a dispute resolution hearing was held on March 30, 2020. The tenants and one of the landlords attended the hearing. (The other landlord was in hospital, about to give birth.)

### Preliminary Issue: Notice, Tenants Moving, and Mutual Agreement re End of Tenancy

At the outset of the hearing the landlord indicated that the tenants had moved out. The tenants indicated that they had retained the right of possession but were in the process of moving out and would be completely out by the end of the month. While the tenants expressed the position that the Notice was wrongfully issued, I explained that there was little point in proceeding with the hearing if they were to be out of the rental unit in a day or two. They agreed.

After some discussion, the parties agreed that the tenancy would end at 12:00 PM on April 1, 2020. I advised the parties that I would issue an order of possession for the landlord reflecting this end of tenancy date. (It should be noted that I make this order and issue the order of possession pursuant to sections 44(1)(f) and 55(3) of the Act.)

There were some issues regarding the tenants being able to carpet clean, given the unavailability of carpet cleaning services during the COVID-19 pandemic. I suggested that the parties look for alternate methods and do their best to work together on this particular issue.

Conclusion

The tenants' application is dismissed without leave to reapply, and the landlords are granted an order of possession which goes into effect on April 1, 2020, at 12:00 PM.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under section 9.1(1) of the Act.

Dated: March 30, 2020

---

Residential Tenancy Branch