



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes ERP

This hearing was convened in response to an application by the Tenant for an order for emergency repairs pursuant to section 33 of the *Residential Tenancy Act* (the “Act”).

Both Parties appeared. The Tenant states that it has moved out of the unit, has found another home and has no intention of returning to the unit. The Landlord states that it has received indications of the Tenant’s move-out activity and that there are no issues with a key return.

Section 44(1)(d) of the Act provides that a tenancy ends when the tenant vacates or abandons the rental unit. Given the Tenant’s evidence of having moved out of the unit supported by the Landlord’s evidence of indications of the move-out, I find on a balance of probabilities that the tenancy has ended. The Landlord therefore has the right to possession of the unit. As the tenancy has ended and as repairs to a unit are only relevant to an ongoing tenancy, I dismiss the Tenant’s application. The Landlord confirms that its email address as set out in the Tenant’s application is correct.

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: May 29, 2020

Residential Tenancy Branch