



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OLC, FFT

Introduction

Pursuant to section 58 of the *Residential Tenancy Act* (the *Act*), I was designated to hear an application regarding the above-noted tenancy. The tenant applied for:

- an order for the landlord to comply with the Act, the Residential Tenancy Regulation (the Regulation) and/or tenancy agreement, pursuant to section 62 of the Act; and
- an authorization to recover the filing fee for this application, pursuant to section 72 of the Act.

Both parties attended the hearing. The landlord was represented by advocate RL. All were given a full opportunity to be heard, to present affirmed testimony, to make submissions, and to call witnesses.

The landlord's advocate corrected the spelling of the landlord's name. Pursuant to section 64(3)(a) of the Act, I have amended the application to correct the landlord's name.

At the outset of the hearing both parties agreed the tenancy voluntarily ended on August 06, 2020.

The application for an order for the landlord to comply with the Act, the Regulation or the tenancy agreement is moot since the tenancy has ended and the landlord has possession of the rental unit.

Section 62(4)(b) of the Act states an application should be dismissed if the application or part of an application for dispute resolution does not disclose a dispute that may be determined under the Act. I exercise my authority under section 62(4)(b) of the Act to dismiss the tenant's application.

As the tenant moved out voluntarily, there was no need for the tenant to apply for Dispute Resolution. Accordingly, the tenant must bear the cost of his filing fee.

Conclusion

I dismiss the tenant's application 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: September 14, 2020

Residential Tenancy Branch