



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC-MT, FFT

Introduction

This hearing was convened as a result of the Tenant's Application for Dispute Resolution, made on September 1, 2020 (the "Application"). The Tenant applied for more time to extend the time limit established by the *Residential Tenancy Act* (the "Act") to make an Application for dispute resolution to obtain an order cancelling a One Month Notice to End Tenancy for Cause, and for the return of the filing fee, pursuant to the *Act*.

The Landlord and the Landlord's Agent attended the hearing at the appointed date and time. No one appeared for the Tenant. At the start of the hearing, the Landlord confirmed that the parties had a previous hearing on September 29, 2020 in which the Landlord was granted an Order of Possession in relation to the Landlord's Application to end the tenancy early based on immediate and sever risk. The Landlord confirmed that he has received the previous decision dated September 29, 2020 and has served the Order of Possession to the Tenant.

In this case, I accept that the Tenant has been ordered to vacate the rental property and that the Landlord has been granted an order of possession. In light of the above, I find that the Tenant's Application to cancel the One Month Notice is now moot. I therefore dismiss the Tenant's Application in its entirety without leave to reapply.

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: October 02, 2020

Residential Tenancy Branch