



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNL-4M-MT, FFT

Introduction

This hearing dealt with an Application for Dispute Resolution by the Tenant filed under the Residential Tenancy Act (the “Act”) to cancel Four Month Notice to End Tenancy for Demolition, Renovation, Repair or Conversion of the Rental Unit (the “Notice”), for more time to file to dispute the Notice and to recover the filing fee for this hearing. The matter was set for a conference call.

The Tenant attended the hearing and was affirmed to be truthful in their testimony. As the Landlord did not attend the hearing, service of the Notice of Dispute Resolution Hearing was considered. The Residential Tenancy Branch Rules of Procedure states that the respondent must be served with a copy of the Application for Dispute Resolution and Notice of Hearing. The Tenant testified the Application for Dispute Resolution and Notice of Hearing had been served to the Landlord by personal service on September 16, 2020. I accept the Tenant’s testimony and find that the Landlord had been duly served in accordance with sections 89 and 90 of the Act.

The Tenant was provided with the opportunity to present their evidence orally and in written and documentary form and to make submissions at the hearing.

I have reviewed all oral and written evidence before me that met the requirements of the Rules of Procedure. However, only the evidence relevant to the issues and findings in this matter are described in this decision

Preliminary Matter

At the outset of these proceedings, the Tenant testified that they had already moved out of the rental unit.

As this tenancy has ended, I find that there is no requirement to proceed in this hearing for the Tenant's request to cancel a Four Month Notice to End Tenancy for Demolition, Renovation, Repair or Conversion of the Rental Unit (the "Notice"), for more time to file to dispute the Notice and to recover the filing fee for this hearing.

Conclusion

I dismiss the Tenant's application.

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: November 2, 2020

Residential Tenancy Branch