



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNC, OLC, RP

### Introduction, Preliminary and Procedural Matters

This hearing dealt with the tenant's application for dispute resolution under the Residential Tenancy Act (Act) for:

- an order cancelling a One Month Notice to End Tenancy for Cause (Notice);
- an order requiring the landlord to comply with the Act, regulation or tenancy agreement; and
- an order requiring the landlord to make repairs to the rental unit.

The tenant attended the hearing; however, the landlord did not attend.

The tenant stated he served the landlord with his Application for Dispute Resolution, evidence, and Notice of Hearing (application package) by registered mail on October 8, 2020. The tenant provided the Canada Post Customer Receipt containing the Tracking Number to confirm this mailing. That number is listed on the style of cause page in this Decision.

I accept the tenant's evidence that the landlord was served notice of this hearing in a manner complying with section 89 of the Act and the hearing proceeded in the landlord's absence.

Near the beginning of the hearing, the tenant said his mother, the landlord, had him evicted by the RCMP and that he is no longer living in the rental unit as a result. The tenant confirmed he had secured other accommodations for himself and his family.

As a result, I find the tenant's application seeking cancellation of the Notice is moot as the tenancy has ended.

Additionally, as the tenancy ended prior to the hearing, it was no longer necessary to consider the tenant's request for an order requiring the landlord to comply with the Act and to make repairs to the rental unit, as these issues in this circumstance involves an ongoing tenancy.

Given the above, I dismiss the tenant's application to cancel the One Month Notice to End the Tenancy for Cause, for an order compelling the landlord to comply with the Act and to make repairs, as the tenancy has ended.

I note that the tenant addressed that he has been unable to attend the rental unit to retrieve his personal property, such as a truck, flat bed trailer and possessions in boxes, as he said the RCMP have prevented him from returning.

If this remains an issue for the tenant, he is at liberty to make an application for dispute resolution seeking to have his personal property returned to him.

### Conclusion

The tenant's application is dismissed as it is now moot.

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 10, 2020

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Residential Tenancy Branch