



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, OLC, LRE

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:

- cancellation of the One Month Notice to End Tenancy for Cause (the Notice), pursuant to section 47 of the Act;
- 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 order to restrict or suspend the landlord's right of entry, under section 70;

The hearing on October 01, 2020 was adjourned until today due to time constraints. Both parties attended the adjourned hearing. The landlord was assisted by agent SD. Witness for the landlord JM also attended.

I left the teleconference connection open until 11:10 A.M. to enable the tenant to call into this reconvened teleconference hearing scheduled for 11:00 A.M. Only the landlord and agent SD attended the reconvened hearing. All were given a full opportunity to be heard, to present affirmed testimony, to make submissions, and to call witnesses. I confirmed that the correct call-in numbers and participant codes had been provided in the Notice of Hearing. I also confirmed from the teleconference system that the landlord, agent SD and I were the only ones who had called into the reconvened teleconference hearing.

This decision should be read together with interim decision dated October 05, 2020.

At the outset of the reconvened hearing the landlord affirmed the tenant voluntarily vacated the rental unit in the end of October 2020.

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 for cancellation of the Notice, for an order for the landlord to comply and for an order to restrict or suspend the landlord's right of entry.

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: December 11, 2020

Residential Tenancy Branch