



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      **OLC, CNC, FFT**

### Introduction

This hearing dealt with the tenant's application pursuant to the *Residential Tenancy Act* (the "Act") for:

- An order for the landlord to comply with the *Act*, Regulations and/or tenancy agreement pursuant to section 62;
- An order to cancel a One Month Notice To End Tenancy for Cause pursuant to sections 47 and 55; and
- Authorization to recover the filing fee for this application from the landlord pursuant to section 72.

Both the landlord and the tenant attended the hearing. As both parties were present, service of documents was confirmed. The landlord acknowledged service of the tenant's Application for Dispute Resolution package and the tenant acknowledged service of the landlord's evidence package. Both parties stated they had no concerns with timely service of documents.

### Preliminary Issue

At the commencement of the hearing, the tenant testified that she vacated the rental unit on November 15, 2020. She paid full rent for the month of November, however acknowledges she has not paid the landlord for the natural gas or BC Hydro utilities. The landlord acknowledges the tenancy ended on November 15, 2020. The landlord verified she has filed an Application for Dispute Resolution to be heard later this month seeking compensation from the tenant.

### Analysis

As both parties have testified the tenancy ended on November 15, 2020, the tenant's application to dispute the landlord's notice to end tenancy is dismissed without leave to reapply. I find the tenancy ended on November 15, 2020 pursuant to section 44(1)(iii) of the *Act*.

The tenant's application seeking an order that the landlord comply with the *Act*, regulations or tenancy agreement is dismissed without leave to reapply. The landlord/tenant relationship between the parties ended when the tenancy ended on November 15, 2020.

As the tenant's application was not successful, the tenant is not entitled to recovery of the \$100.00 filing fee for the cost of this application.

Conclusion

The tenant's application is dismissed 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: December 15, 2020

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Residential Tenancy Branch