



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, FFT

Introduction

On November 19, 2020 the Tenants submitted an Application for Dispute Resolution under the *Residential Tenancy Act* (“the Act”) seeking to cancel a One Month Notice to End Tenancy for Cause dated November 14, 2020 (“the One Month Notice”). The Tenant also applied to recover the filing fee for the Application.

The Landlord and Tenant, Ms. J.J. appeared at the hearing.

At the very start of the hearing I reviewed the Tenants’ application with the parties and asked the Tenant if they are still living in the rental unit. The Tenant testified that they moved out of the rental unit on February 10, 2021.

The Landlord confirmed that the Tenants have moved out of the rental unit.

The Parties were informed that a tenancy can only end once and that pursuant to section 44 of the Act the tenancy has ended when the Tenants vacated the rental unit. The parties were informed that it serves no useful purpose to proceed with a hearing to determine whether the tenancy will end or continue.

The Tenant appeared upset at having to dispute the Landlords notice and she stated she felt she was pressured out of the rental unit. The Tenant left the hearing without any notice at 9:34 am. The hearing continued until 9:40 am and the Tenant did not call back in.

The Landlord confirmed that she had served the Tenants with a One Month Notice to End Tenancy for Cause dated November 14, 2020 for breach of a material term of the

tenancy agreement that was not corrected within a reasonable time after written Notice to do so.

I find that the tenancy ended on February 10, 2020 when the Tenants vacated the rental unit.

The Tenants' application to cancel the One Month Notice to End Tenancy for Cause dated November 14, 2020 is dismissed in its entirety.

Conclusion

I find that the tenancy ended on February 10, 2020 when the Tenants vacated the rental unit.

The Tenants' application to cancel the One Month Notice to End Tenancy for Cause dated November 14, 2020 is dismissed 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: February 11, 2021

Residential Tenancy Branch