



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNR

### Preliminary and Procedural Matters

This hearing dealt with an Application for Dispute Resolution by the tenant under the Residential Tenancy Act (Act) seeking:

- an order cancelling the 10 Day Notice to End Tenancy for Unpaid Rent or Utilities (Notice) issued by the landlord.

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

The tenant said he served the landlord with his Application for Dispute Resolution, evidence, and Notice of Hearing (application package) by personal service.

Based upon the submissions of the tenant, I accept the landlord was served notice of this hearing and the tenant's application in a manner complying with section 89(1) of the Act and the hearing proceeded in the landlord's absence.

At the start of the hearing, in response to my inquiry prompted by my consideration of the documentary evidence submitted prior to the hearing, the tenant testified that he vacated the rental unit in January 2021, after filing his application on December 21, 2020.

As a result, I find the tenant's application seeking to cancel the Notice in order to continue the tenancy is moot as the tenancy ended in January 2021, when the tenant vacated the rental unit.

Given the above, I dismiss the tenant's application to cancel the 10 Day Notice to End Tenancy for Unpaid Rent.

The tenant also mentioned other current and outstanding issues with this landlord.

The tenant was informed he could seek resolution to those other matters with a further application for dispute resolution.

### 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: March 18, 2021

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Residential Tenancy Branch