



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding NORTHVIEWFUND  
and [tenant name suppressed to protect privacy]

## DECISION

Dispute Codes      CNC, LRE, FFT

### Introduction and Preliminary Matters

This hearing dealt with an Application for Dispute Resolution (application) by the tenant seeking remedy under the *Residential Tenancy Act* (Act) to cancel a 1 Month Notice to End Tenancy for Cause (1 Month Notice), for an order to suspend or set conditions on the landlord's right to enter the rental unit, site or property, and to recover the cost of the filing fee.

The tenant attended the teleconference hearing. The tenant was informed at the start of the hearing that recording of the dispute resolution is prohibited under the Residential Tenancy Branch (RTB) Rules of Procedure (Rules) Rule 6.11. The tenant was also informed that if any recording devices were being used, they were directed to immediately cease the recording of the hearing. In addition, the tenant was advised that if a recording was surreptitiously made and used for any purpose, the party will be referred to the RTB Compliance Enforcement Unit for the purpose of an investigation under the Act. The tenant did not have any questions about my direction pursuant to RTB Rule 6.11.

The tenant was affirmed at the start of the hearing. Words utilizing the singular shall also include the plural and vice versa where the context requires.

At the start of the hearing, the tenant testified that they vacated the rental unit in January 2021 since filing their application on January 8, 2021 as the landlord was granted an order of possession. As a result, I find the tenant's application is moot as the tenancy ended by way of an order of possession and the tenant being evicted from the rental unit based on their affirmed testimony that an order of possession was granted to the landlord and a bailiff removed the tenant from the rental unit. Given the above, I **dismiss** the tenant's application without leave to reapply.

I do not grant the filing fee as the tenancy has already ended and the application is now moot.

In addition to the above, the tenant confirmed their email addresses at the outset of the hearing. The tenant confirmed their understanding that the decision would be emailed to the tenant. As no email address for the landlord was provided, the decision will be sent by regular mail to the landlord.

### Analysis and Conclusion

The tenant's application is now moot as the tenancy has ended by the tenant being removed from the rental unit by a bailiff after an Order of Possession was granted to the landlord.

I do not grant the tenant the recovery of the cost of the filing fee under the Act.

This decision will be emailed to the tenant and sent by regular mail to the landlord.

This decision is final and binding on the parties, except as otherwise provided under the Act, and 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: April 6, 2021

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Residential Tenancy Branch