



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNR

### Introduction

This hearing was convened by way of conference call in response to an Application for Dispute Resolution filed by the Tenant on January 06, 2021 (the "Application"). The Tenant applied to dispute a 10 Day Notice to End Tenancy Issued for Unpaid Rent or Utilities.

The Tenant and Landlord appeared at the hearing.

The Landlords had submitted documents showing the Tenant vacated the rental unit February 04, 2021. The documents also show the Landlords were issued an Order of Possession on December 14, 2020 effective January 31, 2021. Further, the documents show a Writ of Possession was issued February 01, 2021.

The parties agreed the Tenant vacated the rental unit February 04, 2021.

I explained to the parties that the only issue raised in the Application is the validity of a 10 Day Notice issued in January of 2021 (the "Notice"). I explained that the only possible outcomes of the Application were a decision that the Notice is valid and therefore the tenancy should end or a decision that the Notice is not valid and therefore the tenancy should continue. I explained that the issue of whether the tenancy should end or continue is a moot point because this tenancy has already ended, and the Landlords have already been issued an Order of Possession for the rental unit. I explained to the Landlord that I cannot issue the Landlords a Monetary Order for unpaid rent on the Tenant's Application and that the Landlords had to file their own Application for Dispute Resolution to recover unpaid rent.

Given the above explanation, the Tenant withdrew the Application and the Landlord agreed to the withdrawal.

Conclusion

The Application is withdrawn by agreement of the parties.

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: April 01, 2021

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Residential Tenancy Branch