



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, DRI, RR, OLC

Introduction

On January 13, 2021, the Tenants made an Application for Dispute Resolution under the *Residential Tenancy Act* (“the Act”) to cancel a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities. The Tenants also applied to dispute a rent increase and for a rent reduction.

The matter was set for a conference call hearing. The Tenant and the Landlord’s agent attended the teleconference hearing.

At the start of the hearing, the Tenants testified that they vacated the rental unit on February 28, 2021.

The parties apparently entered into a mutual agreement to end the tenancy effective March 1, 2021.

I find that the tenancy ended on February 28, 2021. Since the Tenants have vacated the rental unit, there is no need to determine whether or not the tenancy is ending based on the issuance of a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities.

In addition, there is no need to consider whether or not a notice of rent increase is an effective notice and whether or not the Tenants’ should be authorized to reduce the monthly rent.

The Tenants’ application is dismissed in its entirety. If the Tenants want to pursue a claim for money owed or compensation for damage or loss against the Landlord, the Tenants are at liberty to reapply for dispute resolution.

Conclusion

The Tenants moved out of the rental unit on February 28, 2021 prior to the hearing for the dispute of a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities.

The tenancy has ended. Since the Tenants have vacated the rental unit, there is no need to determine whether or not the tenancy is ending based on the issuance of a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities.

The Tenants' application 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: April 13, 2021

Residential Tenancy Branch