



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC-MT, CNR, LRE, OLC

Introduction and Preliminary Matters

This hearing involved cross-applications made by the Tenant. On February 7, 2021, the Tenant applied for a Dispute Resolution proceeding seeking to cancel a One Month Notice to End Tenancy for Cause (the “Notice”) pursuant to Section 47 of the *Residential Tenancy Act* (the “Act”), seeking more time to cancel the Notice pursuant to Section 66 of the *Act*, and seeking to set conditions on the Landlord’s right to enter pursuant to Section 70 of the *Act*.

On February 10, 2021, the Tenant applied for a Dispute Resolution proceeding seeking to cancel a 10 Day Notice to End Tenancy for Unpaid Rent pursuant to Section 46 of the *Act* and seeking an Order to comply pursuant to Section 62 of the *Act*.

The Tenant did not attend at any point during the 11-minute teleconference call; however, the Landlord did attend the hearing. At the outset of the hearing, the Landlord was advised that recording of the hearing was prohibited and she was reminded to refrain from doing so. She acknowledged this term. As well, the Landlord provided a solemn affirmation.

The Landlord advised that the Tenant had given up vacant possession of the rental unit on March 5, 2021 in response to a previous Decision made by the Residential Tenancy Branch (the relevant Decision is noted on the first page of this Decision).

As the Tenant has given up vacant possession of the rental unit and as the Tenant has not attended the hearing, it is not necessary to consider the issuance of an Order of Possession or any of the other claims on these Applications.

Conclusion

As the Tenant has given up vacant possession of the rental unit already and has not attended the hearing, I dismiss the Tenant's Application without leave to reapply.

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: May 10, 2021

Residential Tenancy Branch