



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      CNL, MNDCT, LRE, FFT

### Introduction

This hearing dealt with the tenants' application pursuant to the *Residential Tenancy Act* ("Act") for:

- cancellation of the landlord's Two Month Notice to End Tenancy for Landlord's Use of Property, dated February 5, 2021 ("2 Month Notice"), pursuant to section 49;
- a monetary order of \$7,200.00 for compensation for damage or loss under the *Act*, *Residential Tenancy Regulation* ("*Regulation*") or tenancy agreement, pursuant to section 67;
- an order restricting the landlord's right to enter the rental unit, pursuant to section 70; and
- authorization to recover the \$100.00 filing fee paid for this application, pursuant to section 72.

The "male tenant" did not attend this hearing, which lasted approximately 8 minutes. The landlord and the female tenant ("tenant") attended the hearing and were each given a full opportunity to be heard, to present affirmed testimony, to make submissions and to call witnesses. The tenant confirmed that she had permission to speak on behalf of the male tenant at this hearing (collectively "tenants").

At the outset of the hearing, the tenant stated that the tenants vacated the rental unit on February 16, 2021. She stated that she was not pursuing the tenants' application at this hearing, except she wanted leave to reapply for the monetary order of \$7,200.00.

I informed both parties that the tenants' entire application was dismissed without leave to reapply, except for the monetary order for \$7,200.00 for 12 months' rent compensation under section 51 of the *Act* and the 2 Month Notice, since the tenants

applied for this claim prematurely before moving out. Both parties confirmed their understanding of same.

Conclusion

The tenants' application for a monetary order for \$7,200.00 for 12 months' rent compensation under section 51 of the *Act* and the landlord's 2 Month Notice, dated February 5, 2021, is dismissed with leave to reapply.

The remainder of the tenants' application is dismissed 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 11, 2021

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Residential Tenancy Branch