



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes **CNC, RP, OLC, FFT**

Introduction

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

- An order to cancel a One Month Notice To End Tenancy for Cause pursuant to sections 47 and 55;
- An order for regular repairs pursuant to sections 32 and 62;
- An order for the landlord to comply with the Act, Regulations and/or tenancy agreement pursuant to section 62; and
- Authorization to recover the filing fee for this application from the opposing party pursuant to section 72.

The landlord did not attend the hearing. The tenant SS attended the hearing with her spouse, KI. The tenant testified that she did not serve the landlord with a copy of the Notice of Dispute Resolution Proceedings or the Application for Dispute Resolution. The tenant further testified that she and the other tenants vacated the rental unit on February 28, 2021 and the tenant confirmed they no longer occupy the rental unit.

Analysis

Based on the undisputed testimony of the tenant, pursuant to section 44(1)(d), I find the tenancy ended on February 28, 2021 when the tenants vacated the rental unit. As the tenancy has ended, all aspects of the tenant's application are dismissed without leave to reapply pursuant to section 62(4) of the *Residential Tenancy Act* as the application does not disclose a dispute that may be determined under part 5 of the Act.

Conclusion

The 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 17, 2021

Residential Tenancy Branch