



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OLC, CNL, FFT

Introduction

This hearing convened as a result of a Tenant's Application for Dispute Resolution, filed on February 22, 2021, wherein the Tenant sought to cancel a 2 Month to End Tenancy for Landlord's Use issued on February 5, 2021 (the "Notice"), an Order that the Landlord comply with the *Residential Tenancy Act*, the *Residential Tenancy Regulation*, and or the tenancy agreement, as well as recovery of the filing fee.

The hearing of the Tenant's Application was scheduled for 11:00 a.m. on May 28, 2021. Both parties called into the hearing. The Tenant was also assisted by his sister, H.M.

At the outset of the hearing the Tenant confirmed that he had vacated the rental unit as of May 14, 2021. Accordingly, the relief sought by the Tenant was no longer relevant.

As such I dismiss the Tenant's claim without leave to reapply.

The parties were reminded that the Tenant was at liberty to apply for monetary compensation pursuant to section 51(2) of the *Act* should the rental unit not be used for the purpose stated on the Notice.

Approximately ten minutes into the hearing the Landlord prematurely disconnected from the telephone line. The Tenant and I waited until 11:20 a.m. and the Landlord did not reconnect. At the time the Landlord disconnected I had already informed the parties that I was dismissing the Tenant's Application without leave as the relief was moot. I did not hear any evidence or submissions from the Tenant during the Landlord's absence. As I had made my Decision with respect to the merits of the claim before me, I concluded the hearing at 11:20 a.m.

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 28, 2021

Residential Tenancy Branch