



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes LRE

Introduction and preliminary matters

On February 23, 2021, the Tenants made an Application for Dispute Resolution seeking to restrict the Landlord's right to enter pursuant to Section 70 of the *Residential Tenancy Act* (the "Act").

Tenant C.H. attended the hearing; however, the Landlord did not attend at any point during the 17-minute teleconference.

The Tenant advised that they did not serve the Notice of Hearing package to the Landlord in accordance with Rule 3.1 of the Rules of Procedure. In addition, she stated that they gave up vacant possession of the rental unit on March 1, 2021. As the Tenants did not comply with the Rules of Procedure by serving the Landlord the Notice of Hearing package within three days of March 5, 2021, I dismiss this Application with leave to reapply.

Regardless, as the Tenants have given up vacant possession of the rental unit already, reapplying on this specific issue would be a moot point.

Conclusion

I dismiss the Application for Dispute Resolution with leave to reapply; however, this does not extend any applicable time limits under the legislation. I have not made any findings of fact or law with respect to the Application.

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 31, 2021

Residential Tenancy Branch