



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC-MT, FFT

Introduction

Pursuant to section 58 of the Residential Tenancy Act (the Act), I was designated to hear an application regarding the above-noted tenancy. The tenants applied for:

- cancellation of the One Month Notice to End Tenancy for Cause (the Notice), pursuant to section 47;
- an extension of the timeline for disputing the Notice, pursuant to section 66; and
- an authorization to recover the filing fee for this application, under section 72.

The respondent's representative AL (the landlord) called into this teleconference at the date and time set for the hearing of this matter. Although I waited until 9:41 A.M. to enable the applicants (tenants) to connect with this teleconference hearing scheduled for 9:30 A.M., the applicants did not attend.

I confirmed that the correct call-in numbers and participant codes had been provided in the Notice of Hearing. During the hearing, I also confirmed from the online teleconference system that the landlord and I were the only persons who had called into this teleconference.

The landlord affirmed the tenants vacated the rental unit on June 15, 2021.

The application for cancellation of the Notice is moot since the tenancy has ended and the landlord has possession of the rental unit.

Section 62(4)(b) of the Act states an application should be dismissed if the application or part of an application for dispute resolution does not disclose a dispute that may be determined under the Act. I exercise my authority under section 62(4)(b) of the Act to dismiss the application for cancellation of the Notice.

The tenants applied for dispute resolution and moved out before the hearing.

Accordingly, the tenants must bear the cost of the filing fee.

Conclusion

I dismiss the tenants' 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: July 27, 2021

Residential Tenancy Branch