



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, OLC, FFT

Introduction

This hearing was scheduled to convene at 11:00 a.m. this date by way of conference call concerning an application made by the tenants seeking an order cancelling a notice to end the tenancy for cause; an order that the landlord comply with the *Residential Tenancy Act*, regulation or tenancy agreement; and to recover the filing fee from the landlord for the cost of the application.

Both tenants attended the hearing, however the line remained open while the telephone system was monitored for 10 minutes and no one for the landlord joined the call. The tenants have provided evidence of having served the landlord with the hearing package by registered mail on June 3, 2021.

However, during the course of the hearing the tenant advised that the tenants moved out of the rental unit at the end of May, 2021, and the tenants seek compensation. The tenants have not made such an application, and the landlord has not been put on notice that the tenants intend to seek monetary compensation, and I declined to hear testimony in that regard.

Since the tenants have vacated the rental unit, I dismiss the tenants' application in its entirety without leave to reapply.

Conclusion

For the reasons set out above, the tenants' application is hereby dismissed in its entirety 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: August 31, 2021

Residential Tenancy Branch