



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNL (x2), OLC, RP, FFT (x2)

Introduction

The tenant filed an Application for Dispute Resolution on May 2, 2021 seeking an order to cancel the Two Month Notice To End Tenancy for Landlord's Use of Property. Additionally, they sought the landlord's compliance with the tenancy agreement and/or the legislation, and reimbursement of the filing fee.

The tenant filed a second application on June 9, 2021 contesting a different Two Month Notice. They also sought the landlord's compliance, and order for repairs, and the application filing fee.

On these two Applications, the matter proceeded by way of a hearing pursuant to s. 74(2) of the *Residential Tenancy Act* (the "Act") on September 3, 2021.

The landlord only attended the hearing to speak to the issue at hand. At the start of the hearing they provided that the tenants already moved out of the rental unit on August 1, 2021. They confirmed that the tenant gave the key for the rental unit to them, and vacated.

Given that the tenancy has ended, the validity of both of the Two-Month Notice documents is not in question. The tenant did not attend to present testimony on the other application grounds. Rule 7.3 of the *Residential Tenancy Branch Rules of Procedure* provides that if a party or their agent fails to attend the hearing, the arbitrator may conduct the hearing in the absence of that party or dismiss the application without leave to reapply.

Conclusion

The tenant's Applications are dismissed without leave to reapply. This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under s. 9.1(1) of the *Act*.

Dated: September 03, 2021

Residential Tenancy Branch