



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding MAN KEI ENTERPRISES
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNC-MT

Introduction

This hearing was convened as a result of the tenants' Application for Dispute Resolution (application) seeking remedy under the *Residential Tenancy Act* (Act). The tenants applied to cancel a 1 Month Notice to End Tenancy for Cause (1 Month Notice) and for more time to make an application to cancel a 1 Month Notice.

An advocate for the tenants, SM (advocate) attended the teleconference hearing. The advocate gave affirmed testimony and confirmed that as of August 2021 the tenants vacated the rental unit and as a result, requested to withdraw the tenants' application.

Preliminary and Procedural Matters

The advocate was informed at the start of the hearing that recording of the dispute resolution is prohibited under the Residential Tenancy Branch (RTB) Rules of Procedure (Rules) Rule 6.11. The advocate was also informed that if any recording devices were being used, they were directed to immediately cease the recording of the hearing. In addition, the advocate was informed that if any recording was surreptitiously made and used for any purpose, they will be referred to the RTB Compliance Enforcement Unit for the purpose of an investigation under the Act. The advocate did not have any questions about my direction pursuant to RTB Rule 6.11.

In addition, the advocate confirmed their email addresses at the outset of the hearing and stated that they understood that the decision would be emailed to them and sent by regular mail to the landlord.

Given the above and considering that the tenants vacated the rental unit in August 2021 since filing their application on July 19, 2021, I find this application is now moot.

Issue to be Decided

Is this application now moot?

Analysis

Based on the documentary evidence and the testimony provided during the hearing, and on the balance of probabilities, I find the following.

I find this application is now moot as the tenants have vacated the rental unit in August 2021 since filing their application on July 19, 2021.

As the filing fee was already waived it is not granted.

Conclusion

This application is now moot and is dismissed without leave as a result. The filing fee is not granted as it waived.

The decision will be emailed to the tenants and sent by regular mail to the landlord.

This decision is final and binding on the parties, unless otherwise provided under the Act, and 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: October 28, 2021

Residential Tenancy Branch