



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, OPU, MNU, FFL

Introduction

This hearing was scheduled to deal with cross applications. The tenant applied to cancel a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities. The landlords applied for an Order of Possession and Monetary Order for unpaid rent and utilities.

The landlord appeared at the hearing but the tenant did not despite leaving the teleconference call open for approximately 30 minutes.

I affirmed the landlord and ordered her to not make an unofficial recording of the proceeding.

As to service of hearing materials, the landlord testified that the tenant did not serve the landlords with the tenant's proceeding package. The landlord testified that they did not serve the tenant with the landlord's proceeding package.

The landlord further stated that the tenant has already vacated the rental unit and the tenant paid the outstanding rent and utilities for May 2021 and June 2021 that had been claimed by the landlords on their Application for Dispute Resolution.

Given the failure of the parties to serve each other with their respective hearing packages, I dismiss both of the applications. Having heard the tenant has already vacated the rental unit and paid the monies claimed by the landlords on their Application for Dispute Resolution I consider the remedies sought by the parties to be moot as of this date and I dismiss these applications without leave to reapply.

The landlord indicated that the landlords suffered other losses after filing their claim. The landlord was informed of their right to make a claim for the subsequent losses by making another Application for Dispute Resolution.

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: October 01, 2021

Residential Tenancy Branch