



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Homelife Reality Advantage and
[tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNL

Introduction

This hearing dealt with the tenant's application for dispute resolution made on July 10, 2021, seeking remedy under the Residential Tenancy Act (Act) for:

- an order cancelling the Two Month Notice to End Tenancy for Landlord's Use of Property (Notice) issued by the landlord.

The tenant attended the hearing; however, no representative from the landlord attended the hearing.

The tenant stated she served the landlord with her Application for Dispute Resolution, evidence, and Notice of Hearing (application package) by email sometime after July 10, 2021. The tenant submitted that she understood the landlord preferred to be served in this manner.

I find the tenant did not provide sufficient evidence that she served the landlord as required by section 89 of the Act.

The tenant confirmed she was not recording the hearing.

In response to my question, the tenant said she vacated the rental unit on September 15, 2021, as the landlord pressured her to move out.

As a result, I find the tenant's application seeking to cancel the Notice in order to continue the tenancy is moot as the tenancy ended on September 15, 2021, when the tenant vacated the rental unit.

Given the above, I **dismiss** the tenant's application to cancel the Two Month Notice to End Tenancy for Landlord's Use of Property.

The tenant also requested to amend her application to include a monetary claim against the landlord. I informed the tenant I could not amend her application to include a completely unrelated claim at the hearing. This issue must be made with a separate application. The request was denied.

Conclusion

The tenant's application is dismissed as it is now moot.

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: November 9, 2021

Residential Tenancy Branch