



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Top Vision Realty Inc.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPR-DR

Introduction

This hearing was convened by way of conference call in response to an Application for Dispute Resolution filed by the Landlord on September 23, 2021 (the “Application”). The Landlord applied for an Order of Possession based on a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities.

The Agents for the Landlord appeared at the hearing. Nobody appeared at the hearing for the Tenants.

The Agents for the Landlord advised at the outset of the hearing that the Tenants moved out of the rental unit the weekend before the hearing. The Agents advised that it is clear the Tenants have moved out and there is no concern that they will return to the rental unit.

Given the Tenants have moved out of the rental unit, the Landlord does not require an Order of Possession for the rental unit. Given this, I told the Agents I would not consider whether the Landlord is entitled to an Order of Possession because it is not necessary to do so. The Application is dismissed without leave to re-apply.

Conclusion

The Application is dismissed without leave to re-apply.

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 22, 2021

Residential Tenancy Branch