



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNL, FF

Introduction

This hearing dealt with the tenants' application for dispute resolution 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; and
- to recover the cost of the filing fee.

The tenant and the landlord attended the hearing and were affirmed to provide their truthful testimony. Both parties testified they were not recording the hearing.

At the beginning of the hearing, the parties agreed that the tenancy was over, as the tenant said they vacated the rental unit on or about August 1, 2021.

As a result, I find the issue in the tenants' application seeking cancellation of the Notice is now moot as the tenancy has ended.

Analysis and Conclusion

Given the above, I dismiss the tenants' application seeking cancellation of the Notice, without leave to reapply.

As I have not considered the merits of the Notice for the reasons stated, I decline to award the tenant recovery of their filing fee.

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*. Pursuant to

section 77 of the Act, a decision or an order is final and binding, except as otherwise provided in the Act.

Dated: November 18, 2021

Residential Tenancy Branch