



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, LRE, OLC, OPR-DR

This hearing was convened in response to an application by the Tenant and an application by the Landlord pursuant to the *Residential Tenancy Act* (the “Act”).

The Tenant applied on August 6, 2021 for:

1. An Order cancelling a notice to end tenancy - Section 46;
2. An Order restricting the Landlord’s entry - Section 70; and
3. An Order for the Landlord’s compliance - Section 62.

The Landlord applied on August 16, 2021 for an order of possession pursuant to section 55 of the Act.

The Tenant did not attend the hearing to present the claims in their application. The Tenant’s application is therefore dismissed. The Landlord appeared and stated that the Tenant was served with their application for dispute resolution, notice of hearing and evidence (the “Package”) by registered mail on September 8, 2021. Section 90 of the Act provides that a document served in accordance with section 89 of the Act is deemed to be received if given or served by mail, on the 5th day after it is mailed. Given the evidence of registered mail I find that the Tenant is deemed to have received the package on September 13, 2021. The Landlord confirms that the Tenant moved out of the unit on October 22, 2021, that the Landlord obtained possession of the unit and that the Landlord does not require an order of possession. The unit has been sold.

Given the Landlord's undisputed evidence I find that the Landlord's claim for an order of possession is no longer required and that the matter is concluded.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the Act.

Dated: December 10, 2021

Residential Tenancy Branch