



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

### Dispute Codes:

CNC, LRE

### Introduction

This hearing was convened in response to the Tenant's Application for Dispute Resolution, in which the Tenant applied to cancel a One Month Notice to End Tenancy for Cause and for an Order suspending or setting conditions on the Landlord's right to enter the unit.

### Issue(s) to be Decided

Should the One Month Notice to End Tenancy for Cause, served pursuant to section 47 of the *Residential Tenancy Act (Act)*, be set aside?

Is there a need to suspend or setting conditions on the Landlord's right to enter the unit?

### Background and Evidence

The teleconference hearing was scheduled for 11:00 a.m. on this date. The Agent for the Landlord attended at the scheduled start time but by the time the teleconference was terminated at 11:10 a.m., the Tenant had not appeared.

The Agent for the Landlord stated that the Tenant personally served hearing documents to him on September 23, 2021.

The Agent for the Landlord stated that the parties mutually agreed to end the tenancy on January 11, 2022 and that the rental unit was vacated on January 11, 2022. He stated that an Order of Possession is not required, as the rental unit has been vacated.

### Analysis

I find that the Tenant failed to diligently pursue the Application for Dispute Resolution and I therefore dismiss the Application for Dispute Resolution, without leave to reapply.

As the rental unit has been vacated and the Agent for the Landlord advised me that an Order of Possession is not required, an Order of Possession is not being granted to the Landlord pursuant to section 55(1) of the *Act*.

### Conclusion

The Application for Dispute Resolution is dismissed, without leave to reapply.

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: January 13, 2022

---

Residential Tenancy Branch