



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes **CNE, LRE, FFT**

Introduction

This hearing dealt with the Tenant's application pursuant to the *Residential Tenancy Act* (the "Act") for:

1. Cancellation of the Landlord's One Month Notice to End Tenancy for Cause (the "One Month Notice") pursuant to Sections 48 and 62 of the Act;
2. An Order to suspend or set conditions on the Landlord's right to enter the rental unit pursuant to Section 70 the Act; and,
3. Recovery of the application filing fee pursuant to Section 72 of the Act.

The hearing was conducted via teleconference. The Tenant attended the hearing at the appointed date and time and provided affirmed testimony. The Landlord did not attend the hearing. I confirmed that the correct call-in numbers and participant codes had been provided in the Notice of Hearing. I also confirmed from the teleconference system that the Tenant and I were the only ones who had called into this teleconference. The Tenant was given a full opportunity to be heard, to make submissions, and to call witnesses.

I advised the Tenant that Rule 6.11 of the Residential Tenancy Branch Rules of Procedure prohibits the recording of dispute resolution hearings. The Tenant testified that she was not recording this dispute resolution hearing.

Preliminary Issue – Tenant Vacated Rental Unit

At the outset of the hearing the Tenant informed me that she had vacated the rental unit on December 31, 2021.

I find that the tenancy ended on December 31, 2021 pursuant to Section 44(1)(d) of the Act. As the tenancy has come to an end, pursuant to Section 62 of the Act, I have no authority to adjudicate the claims before me. I dismiss the Tenant's application in its entirety without leave to re-apply.

Conclusion

The tenancy ended on December 31, 2021. As the tenancy has come to an end, I have no authority to adjudicate the claims before me.

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: January 23, 2022

Residential Tenancy Branch