



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Top Vision Reality
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNL-MT, OLC, FFT

Introduction

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

- more time to cancel a Notice to End Tenancy, pursuant to section 66;
- cancellation of the Two Month Notice to End Tenancy for Landlord's Use of Property, pursuant to section 49;
- an Order directing the landlord to comply with the *Act*, regulation or tenancy agreement, pursuant to section 62; and
- authorization to recover the filing fee for this application from the landlord, pursuant to section 72.

The tenant, the landlord's property manager and the landlord's assistant property manager attended the hearing and were each given a full opportunity to be heard, to present affirmed testimony, to make submissions, and to call witnesses.

Both parties were advised that Rule 6.11 of the Residential Tenancy Branch Rules of Procedure prohibits the recording of dispute resolution hearings. Both parties testified that they are not recording this dispute resolution hearing.

Both parties confirmed their email addresses for service of this decision and order.

The tenant testified to the spelling of his last name. The tenant's last name on this application for dispute resolution is missing the last letter. Pursuant to section 64 of the *Act*, I amend the tenant's application for dispute resolution to correctly spell his last name.

At the start of this hearing the tenant testified that he moved out of the subject rental property on January 31, 2022; this was not disputed by the property manager or assistant property manager.

I find that the issues raised in the application are no longer applicable as the tenancy has ended. The tenant's application for dispute resolution is therefore dismissed without leave to reapply.

Conclusion

The tenant's application for dispute resolution is dismissed without leave to reapply because this tenancy ended prior to this hearing.

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: February 10, 2022

Residential Tenancy Branch