



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes LRE, LAT, CNC, RP, OLC, FFT

Introduction

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

- an order that the landlords make repairs to the rental unit pursuant to section 32;
- the cancellation of the One Month Notice to End Tenancy for Cause (the "**Notice**") pursuant to section 47;
- the cancellation of the Two Month Notice to End Tenancy for Landlords' Use of Property (the "**Notice**") pursuant to section 49;
- an order requiring the landlords to comply with the Act, regulation or tenancy agreement pursuant to section 62;
- authorization to change the locks to the rental unit pursuant to section 70;
- an order to suspend or set conditions on the landlords' right to enter the rental unit pursuant to section 70;
- authorization to recover the filing fee for this application from the landlords pursuant to section 72.

The tenant did not attend this hearing, although I left the teleconference hearing connection open until 9:40 am in order to enable the tenant to call into the hearing scheduled to start at 9:30 am. The landlords attended the hearing and was given a full opportunity to be heard, to present affirmed testimony, to make submissions and to call witnesses. I confirmed that the correct call-in numbers and participant codes had been provided in the Notice of Dispute Resolution Proceeding. I used the teleconference system to confirm that the landlords and I were the only ones who had called into the hearing.

In my preparation for this hearing, I discovered that the landlords had obtained an order of possession and a monetary order against the tenant on January 13, 2022. The landlords confirmed that such orders have been issued but they are uncertain if the tenant continues to reside in the rental unit, as they sold it in December 2021. The provided the orders to the new owner shortly after receiving it, and understand that the orders were served on the tenant.

In any event, the existence of the order of possession renders this application moot. The tenancy is over. As such, the landlords do not require a further order of possession based on the Notice and the tenant not eligible under the Act to the relief she has sought in this application.

I therefore dismiss the tenant's application, in its entirety, 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: February 10, 2022

Residential Tenancy Branch