



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

**Dispute Codes**      **CNC, FFT**

### **Introduction**

This hearing dealt with the Tenants' 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 47 and 62 of the Act; and,
2. Recovery of the application filing fee pursuant to Section 72 of the Act.

The hearing was conducted via teleconference. The Landlord, SC, and the Tenant, SC, attended the hearing at the appointed date and time. Both parties were each given a full opportunity to be heard, to present affirmed testimony, to call witnesses, and make submissions.

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

At the outset of the hearing, Tenant SC stated they moved out of the rental unit on December 30, 2021. The Tenants signed a mutual agreement to end the tenancy with the Landlord on December 13, 2021; however, he stated the Landlord has not returned a copy to the Tenants. The Landlord testified that she returned the whole security deposit back to the Tenants.

Conclusion

In this matter, the tenancy ended pursuant to Section 44(1)(c) of the Act. As the tenancy has ended, pursuant to Section 62(4)(b) of the Act 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: March 17, 2022

---

Residential Tenancy Branch