



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNL, FFT

Introduction

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

- cancellation of the Two Month Notice to End Tenancy for Landlord's Use of Property, pursuant to section 49; and
- authorization to recover the filing fee for this application from the landlord, pursuant to section 72.

Both parties 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.

Preliminary Issue- Amendment

The landlords' testified to the correct spelling of their legal names. The tenants' application for dispute resolution mis-spelled tenant I.S.'s first name and provided the shortened version of landlord M.S.'s first name. Pursuant to section 64 of the *Act*, I amend the tenants' application for dispute resolution to correctly spell landlord I.S.'s first name and to provide landlord M.S.'s entire first name.

Preliminary Issue- Dismissal

At the start of this hearing both parties agreed that the tenants moved out in December of 2021. The issues raised in the application are no longer applicable as the tenancy has ended. The tenants' application for dispute resolution is therefore dismissed without leave to reapply.

Conclusion

The tenants' 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: March 01, 2022

Residential Tenancy Branch