



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, OLC, LRE, FFT

Introduction

This hearing was convened as a result of the Tenant's Application for Dispute Resolution ("Application") under the *Residential Tenancy Act* ("Act") to cancel a One Month Notice to End Tenancy for Cause dated February 25, 2022 ("One Month Notice"); for an order directing the Landlord to comply with the Act, regulation, or tenancy agreement; to suspend or restrict the Landlord's right to enter; and to recover the \$100.00 cost of his Application filing fee.

The Tenant and the Landlord appeared at the teleconference hearing, although the Tenant called in six minutes late. He said he used the wrong number at first, and had some difficulty with the hearing codes. In the meantime, the Landlord advised me that the Tenant had moved out on May 15, 2022, and had not provided his forwarding address.

When the Tenant was able to call in, both Parties were given a full opportunity to be heard; however, as the Tenant had moved out, I asked him if he had called in to withdraw the Application. He said he had tried to withdraw it online, but was unsuccessful, so he called into the hearing.

I explained to the Parties that the Tenant's Application was no longer relevant, since he had moved out. I explained that it would be inappropriate for me to make Orders based on this Application, as the tenancy that had ended. Both Parties agreed to the Tenant withdrawing his Application, as the Landlord no longer needed an order of possession for the rental unit.

I explained that withdrawing this Application would conclude the hearing, and this matter would be dismissed without leave to re-apply. The Tenant said he understood this and wished to proceed with the withdrawal of the Application, as did the Landlord. I advised the Parties that they may still apply for dispute resolution to address any outstanding issues related to the tenancy.

The Tenant provided his mailing address to me and the Landlord. I advised the Parties that the Landlord had been provided with the Tenant's forwarding address as of today – the date of this Decision.

Conclusion

The Tenant's Application to cancel a One Month Notice, and for other unspecified relief was withdrawn by the Tenant and is therefore dismissed without leave to reapply.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: June 03, 2022

Residential Tenancy Branch