



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNL, OLC, FF

Introduction, Preliminary and Procedural Matters-

This hearing convened to deal with the tenant's application for dispute resolution (application) seeking remedy under the Residential Tenancy Act (Act). The tenant applied on March 28, 2022 for an order cancelling the Two Month Notice to End Tenancy for Landlord's Use of Property (2 Month Notice) issued by the landlord, an order requiring the landlord to comply with the Act, regulations, or tenancy agreement and to recover the cost of the filing fee.

The parties listed on the cover page of this Decision attended the hearing and were affirmed.

As a preliminary matter, the respondent, SC, said that the tenant vacated the rental unit on June 15, 2022. The tenant confirmed vacating on that date, as she felt under pressure in the event she was evicted and would not be able find other accommodations.

Analysis and Conclusion

As I informed the tenant, I cannot proceed on her application for dispute resolution, as the tenancy ended on the date she vacated the rental unit on June 15, 2022, as provided in section 44(1)(d) of the Act. As a result, I find the tenant's request for an order cancelling the 2 Month Notice is now moot.

As to the tenant's request to require the landlord to comply with the Act, the tenant's application was not specific as to what section of the Act she was referring. Rather, the application indicated that she wanted to be kept on as a tenant and that she believed

the landlords/purchasers of the residential property did not intend to occupy the rental unit.

I find that this request is now moot, as the tenancy has ended. If the tenant believed she should not be required to vacate the rental unit, she ought to have waited for the hearing so that I could decide whether she is required to vacate. When the tenant vacated the rental unit, their application became moot, as I cannot now decide whether or not the tenancy shall continue.

Given the above, I **dismiss** the tenant's application, without leave to reapply.

As I did not consider the merits of the tenant's application or the 2 Month Notice, I dismiss the tenant's request for recovery of the filing fee, 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*. Pursuant to section 77(3) of the Act, a decision or an order is final and binding, except as otherwise provided in the Act.

Dated: June 23, 2022

Residential Tenancy Branch