



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNL, LRE, OLC, LAT, FFT
 OPL, FFL

Introduction

This hearing was scheduled to convene at 11:00 a.m. on June 21, 2022 concerning applications made by the tenant and by the landlord. The tenant has applied for:

- an order cancelling a notice to end the tenancy for landlord's use of property;
- an order limiting or setting conditions on the landlord's right to enter the rental unit;
- an order that the landlord comply with the *Residential Tenancy Act*, regulation or tenancy agreement;
- an order permitting the tenant to change the locks to the rental unit; and
- to recover the filing fee from the landlord for the cost of the application.

The landlord has applied for an Order of Possession for landlord's use of the property and to recover the filing fee from the tenant.

The landlord attended the hearing with another person to assist with translation, however the line remained open while the telephone system was monitored for in excess of 15 minutes and no one for the tenant joined the call.

The landlord submitted that the tenant vacated the rental unit on April 10, 2022 and the landlord has possession.

Since the tenant has not joined the hearing, I dismiss the tenant's application in its entirety without leave to reapply.

Since the tenant has vacated the rental unit and the landlord has possession, I dismiss the landlord's application without leave to reapply.

Since neither party has been successful with the applications, I decline to order that either party recover the filing fees from the other party.

Conclusion

For the reasons set out above, the tenant's application is hereby dismissed without leave to reapply.

The landlord's application is hereby 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 21, 2022

Residential Tenancy Branch