



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPT, FFT

The Tenant filed an Application for Dispute Resolution on May 3, 2022 for an order of possession of the rental unit. They also applied for reimbursement of the Application filing fee. The matter proceeded to a hearing pursuant to s. 74(2) of the *Residential Tenancy Act* (the “Act”) on June 9, 2022.

Both the Landlord and the Tenant attended the hearing, and each of them confirmed they received the evidence of the other prior to the hearing. The Landlord indicated they only received the material two hours prior to the hearing.

Both parties had the opportunity to address the issue at hand. In the hearing the Tenant confirmed they ended the tenancy and now reside elsewhere. At the time of their Application, they were seeking the return of personal property; since that time, in the week prior to the hearing, they obtained their property back from the Landlord.

Given that the tenancy has ended, the Tenant needing an order of possession of the rental unit is no longer an issue. That issue is settled.

In the hearing, the Landlord presented their viewpoint that the issue cannot be heard because the Tenant’s Application lacks specifics. I noted this point; however, with the tenancy over there is no issue to be resolved between the parties regarding the Tenant’s possession of the rental unit. Any further matter of compensation from one party or the other is a matter of a separate Application.

Conclusion

I dismiss the Tenant’s Application without leave to reapply.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under s. 9.1(1) of the *Act*.

Dated: June 10, 2022

Residential Tenancy Branch