



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC

Dismissal of Application

The Tenants seek an order cancelling a One-Month Notice to End Tenancy signed on April 2, 2022 pursuant to s. 47 of the *Residential Tenancy Act* (the “Act”).

T.M. appeared as the Landlord. The Tenants did not attend, nor did someone attend on their behalf.

Pursuant to Rule 7.1 of the Rules of Procedure, the hearing began as scheduled in the Notice of Dispute Resolution. As the Tenants did not attend, the hearing was conducted in their absence as permitted by Rule 7.3 of the Rules of Procedure. The hearing concluded after 10 minutes without participation of the Tenants.

The Landlord affirmed to tell the truth during the hearing. I advised of Rule 6.11 of the Rules of Procedure, in which the participants are prohibited from recording the hearing. The Landlord confirmed that he was not recording the hearing. I further advised that the hearing was recorded automatically by the Residential Tenancy Branch.

The Landlord advised that the Tenants have vacated the rental unit and that he has taken back possession of it on July 1, 2022. I find that the tenancy is over and the Landlord has taken possession of the rental unit on July 1, 2022 as provided for by the Landlord in his undisputed testimony.

As the tenancy is over and the Landlord already has possession of the rental unit, the issue of the enforceability of the One-Month Notice is moot. I dismiss the Tenants application on this basis. No orders are made as the Landlord has possession of the rental unit.

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: July 25, 2022

Residential Tenancy Branch