



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, AAT, FFT

Dismissal of Application

The Tenant seeks the following relief under the *Residential Tenancy Act* (the “Act”):

- An order pursuant to s. 46 to cancel a 10-Day Notice to End Tenancy;
- An order pursuant to s. 70 that the landlord allow access to the rental unit for the Tenant or her guests; and
- Return of her filing fee pursuant to s. 72.

A.L. appeared as the Landlord. The Tenant did not attend, nor did someone attend on her behalf.

Pursuant to Rule 7.1 of the Rules of Procedure, the hearing began as scheduled in the Notice of Dispute Resolution. As the Tenant did not attend, the hearing was conducted in their absence as permitted by Rule 7.3 of the Rules of Procedure.

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 she was not recording the hearing. I further advised that the hearing was recorded automatically by the Residential Tenancy Branch.

The Landlord advised that she obtained an order of possession on May 30, 2022 and provided a file number with respect to that dispute. The Landlord confirmed that she has obtained possession of the rental unit and that the issue of unpaid rent is no longer relevant.

Based on the undisputed evidence of the Landlord, the tenancy is over and unpaid rent is no in issue. I find that the issues raised in the Tenants application are no longer relevant. Further, I find that the Tenant is not entitled to the return of her filing fee. The

Tenant's application is dismissed without leave to reapply in its entirety. No order is made under s. 55(1.1) as the Landlord confirmed unpaid rent is no longer in issue.

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: August 26, 2022

Residential Tenancy Branch