



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNL, OLC, FFT

Pursuant to section 58 of the Residential Tenancy Act (the Act), I was designated to hear an application regarding a tenancy. In this application for dispute resolution, the tenants applied on May 2, 2022 for:

- an order to cancel a Two Month Notice to End Tenancy for Landlord's Use of Property (Two Month Notice);
- an order for the landlord to comply with the Act, regulation an/or the tenancy agreement; and
- the filing fee.

The tenants and the landlord attended the hearing. They were affirmed and made aware of Residential Tenancy Branch Rule of Procedure 6.11 prohibiting recording dispute resolution hearings.

The dispute and tenancy agreement listed the same address for the landlord and the tenants; however, as the landlord and tenants agreed that the rental unit was a separate unit in the lower floor of the property, with its own kitchen and bathroom, I found I had jurisdiction to hear the matter and continued with the hearing.

The tenants testified they vacated the rental unit on June 29, 2022, and the landlord testified she had possession of the unit and was not seeking an order of possession.

Therefore, in accordance with section 62(4)(b), I dismiss the tenants' application for an order to cancel the Two Month Notice and an order for the landlord to comply with the Act, regulation an/or the tenancy agreement, as they are moot.

As the tenants vacated the rental unit prior to the hearing, I decline to award them the filing fee.

Conclusion

The tenancy has ended.

The tenants' application is dismissed.

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 30, 2022

Residential Tenancy Branch