



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes **OLC, FFT**

Introduction

This hearing dealt with the Tenant's application pursuant to the *Residential Tenancy Act* (the "Act") for:

1. An Order for the Landlord to comply with the Act, regulations, and tenancy agreement pursuant to Section 62(3) of the Act; and,
2. Recovery of the application filing fee pursuant to Section 72 of the Act.

The hearing was conducted via teleconference. The Landlord's Agent and the Tenant attended the hearing at the appointed date and time. Both parties were each given a full opportunity to be heard, to present affirmed testimony, to call witnesses, and make submissions.

Both parties were advised that Rule 6.11 of the Residential Tenancy Branch (the "RTB") Rules of Procedure prohibits the recording of dispute resolution hearings. Both parties testified that they were not recording this dispute resolution hearing.

At the outset of the hearing, the Tenant testified that she had vacated the rental unit and the tenancy ended on August 31, 2022. The Tenant gave her forwarding address to the Landlord at the move-out condition inspection. The Landlord uploaded a copy of the move-out condition inspection report. The Landlord confirmed that they have applied for dispute resolution claiming against the security deposit for which a hearing is set on June 1, 2023.

The Landlord testified that they requested that this hearing day be joined with their matter as it deals with the same issue. The matters were not joined. The parties did not reach settlement on this matter today.

As the Tenant vacated the rental unit on August 31, 2022 pursuant to Section 44(1)(a)(i) of the Act, I find the tenancy has ended. Pursuant to Section 62(4), I have no authority to adjudicate the claim before me. I dismiss the Tenant's application without leave to re-apply.

The Tenant must bear the cost of the application filing fee for this matter.

Conclusion

The tenancy ended on August 31, 2022 pursuant to Section 44(1)(a)(i) of the Act. As the tenancy has ended, pursuant to Section 62(4), I have no authority to adjudicate the claim before me.

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

Dated: September 27, 2022

Residential Tenancy Branch