



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC FFT

Introduction

This hearing dealt with an Application for Dispute Resolution (“application”) by the tenant seeking remedy under the *Residential Tenancy Act* (“Act”) to cancel a 1 Month Notice to End Tenancy for Cause dated May 12, 2022 (“1 Month Notice”), and to recover the cost of the filing fee.

The tenant, the landlord and the agent for the landlord, MP (“agent”) attended the teleconference hearing. The parties were affirmed and both parties were given the opportunity to ask questions. Words utilizing the singular shall also include the plural and vice versa where the context requires.

Preliminary and Procedural Matters

At the start of the hearing, both parties confirmed that the tenants vacated the rental unit on August 20, 2022 since filing their application on May 17, 2022. As a result, I find the tenants’ application is moot as the tenancy ended by the tenants’ own actions when the tenants vacated the rental unit. Given the above, **I dismiss** the tenants’ application without leave to reapply.

I do not grant the filing fee as the tenancy has already ended and the application is now moot.

In addition to the above, the parties confirmed their email addresses at the outset of the hearing. The parties confirmed their understanding that the Decision would be emailed to both parties.

Issue to be Decided

- Is this application now moot?

Analysis

Due to the tenants vacating the rental unit before the dispute resolution hearing, I find the tenant's application is now moot.

I dismissed the application in full without leave to reapply as a result.

I do not grant the filing fee as the application did not succeed.

Conclusion

The tenants' application to cancel the 1 Month Notice is now moot.

The tenancy ended on August 20, 2022, when the tenants vacated the rental unit.

I do not grant the tenants the recovery of the cost of the filing fee under the Act.

This Decision will be emailed to both parties.

This decision is final and binding on the parties, except as otherwise provided under the Act, and 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: September 26, 2022

Residential Tenancy Branch