



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, MNDCT, FFT

This hearing was convened in response to an application by the Tenant pursuant to the *Residential Tenancy Act* (the “Act”) for Orders as follows:

1. An Order cancelling a notice to end tenancy - Section 47;
2. A Monetary Order for compensation - Section 67; and
3. An Order to recover the filing fee for this application - Section 72.

The Parties were each given full opportunity under oath to be heard, to present evidence and to make submissions.

Rule 2.3 of the Residential Tenancy Branch Rules of Procedure provides that claims made in an application must be related to each other and unrelated claims may be dismissed with or without leave to reapply. As preliminary matter the Tenant’s claim for compensation was dismissed with leave to reapply as the claim is not related to whether or not the tenancy ends. Leave to reapply is not an extension of any limitation period.

The Parties confirm that the Tenant moved out of the unit on August 31, 2022 and the Landlord confirms that they have possession of the unit. Given this confirmation I find that there is no longer any dispute alive for the notice to end tenancy and I dismiss this claim. As the Tenant’s claims have not met with success at this hearing, I also dismiss the claim for recovery of the filing fee.

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: October 04, 2022

Residential Tenancy Branch