



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding GENUINE CONTRACTING LTD.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes **CNL, MNDCT, OLC**

Introduction

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

1. Cancellation of the Landlord's Two Month Notice to End Tenancy for Landlord's Use of Property pursuant to Sections 49 and 62 of the Act;
2. An Order for compensation for a monetary loss or other money owed pursuant to Section 67 of the Act; and,
3. An Order for the Landlord to comply with the Act, regulations, and tenancy agreement pursuant to Section 62(3) of the Act.

The hearing was conducted via teleconference. The Landlord and Co-Owner (collectively, the "Landlord") attended the hearing at the appointed date and time and provided affirmed testimony. The Tenants did not attend the hearing. I confirmed that the correct call-in numbers and participant codes had been provided in the Notice of Hearing. I also confirmed from the teleconference system that the Landlord and I were the only ones who had called into this teleconference. The Landlord was given a full opportunity to be heard, to make submissions, and to call witnesses.

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

At the outset of the hearing, the Landlord testified that the Tenants have been out of the rental unit since July 23, 2022 after employing the use of a bailiff.

A previous file (File Number on cover sheet of decision) determined that the tenancy ended on June 7, 2022 pursuant to Section 44(1)(a)(ii) of the Act. As the tenancy has come to an end, pursuant to Section 62(4), I have no authority to adjudicate the claims before me. I dismiss the Tenants' application without leave to re-apply.

Conclusion

The tenancy ended on June 7, 2022 pursuant to Section 44(1)(a)(ii) of the Act. The Tenants' claims are dismissed without leave to re-apply.

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 07, 2022

Residential Tenancy Branch