



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes **CNL**

Introduction

This hearing dealt with the Tenant's application pursuant to the *Residential Tenancy Act* (the "Act") for cancellation of the Landlord's Two Month Notice to End Tenancy for Landlord's Use of Property pursuant to Section 49 of the Act.

The hearing was conducted via teleconference. The Landlord attended the hearing at the appointed date and time and provided affirmed testimony. The Tenant 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 she was not recording this dispute resolution hearing.

At the outset of the hearing the Landlord informed me that the Tenant had vacated the rental unit on September 3, 2022. The Landlord left the teleconference at 11:09 a.m., and I stayed on the call until 11:10 a.m. The Tenant did not call into the hearing.

I find that the tenancy ended on September 3, 2022 pursuant to Section 44(1)(d) of the Act. As the tenancy has come to an end, pursuant to Section 62 of the Act, I have no authority to adjudicate the claim before me. I dismiss the Tenant's application in its entirety without leave to re-apply.

Conclusion

The tenancy ended on September 3, 2022. As the tenancy has come to an end, 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: October 24, 2022

Residential Tenancy Branch