



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes **CNR**

Introduction

This hearing dealt with an application by the tenants pursuant to the Residential Tenancy Act ("the Act") for orders as follows:

- cancellation of the landlords' 10 Day Notice to End Tenancy ("10 Day Notice") pursuant to section 46

The landlords JW attended the hearing along with her agent LW. The tenants did not appear. All parties who appeared were given a full opportunity to be heard, to present testimony, to make submissions, and to call witnesses.

Both parties confirmed they were not recording the hearing pursuant to Rule of Procedure 6.11. The parties were affirmed.

The landlords confirmed service of the 10 Day Notice dated June 25, 2022, with an effective date of July 5, 2022, by attaching it to the door of the rental unit on June 25, 2022. Pursuant to sections 89 and 90 of the Act the tenants are deemed to have been served with this notice on June 28, 2022, in accordance with the Act.

The landlords advised that the tenancy commenced on December 12, 2021, on a month-to-month basis. Rent was \$5,400.00 per month and the security deposit of \$2,700.00 has been returned to the tenants. The landlords advised that the tenants no longer occupy the rental unit and vacated on August 3, 2022.

The landlords stated that they and the tenants signed a mutual agreement to end the tenancy on August 1, 2022. As the tenants no longer occupy the unit, the landlords are not seeking an Order of Possession.

The tenants' application for dispute resolution is therefore dismissed without leave to reapply.

This decision 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: November 18, 2022

Residential Tenancy Branch