



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC

Introduction, Preliminary and Procedural Matters-

This hearing convened to deal with the tenant's application for dispute resolution (application) seeking remedy under the Residential Tenancy Act (Act). The tenant filed and completed her application on June 16, 2022. The tenant applied for an order cancelling a One Month Notice to End Tenancy for Cause (Notice) issued by the landlord.

The tenant attended the hearing, and the landlord did not.

As a preliminary matter, the tenant stated that she vacated the rental unit three months prior. The tenant submitted that she tried to cancel the hearing but as the landlord would not agree, the hearing remained schedule.

Analysis and Conclusion

As I informed the tenant, I cannot proceed on her application for dispute resolution, as the tenancy ended prior to the hearing. Under section 44(1)(d) of the Act, a tenancy ends on the date a tenant vacates a rental unit.

I find the request to cancel the Notice is now moot, as the tenancy has ended. I cannot now decide whether or not the tenancy shall continue based upon a consideration of the merits of the Notice.

Given the above, I **dismiss** the tenant's application, 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*. Pursuant to

section 77(3) of the Act, a decision or an order is final and binding, except as otherwise provided in the Act.

Dated: November 03, 2022

Residential Tenancy Branch