



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC

Introduction

This hearing dealt with the tenant's application pursuant to the *Residential Tenancy Act* (the "**Act**") to cancel for a One Month Notice to End Tenancy for Cause (the "**Notice**") pursuant to section 47.

The landlord did not attend this hearing, although I left the teleconference hearing connection open until 9:40 am in order to enable the landlord to call into the hearing scheduled to start at 9:30 am. The tenant attended the hearing and was given a full opportunity to be heard, to present affirmed testimony, to make submissions and to call witnesses. I confirmed that the correct call-in numbers and participant codes had been provided in the Notice of Dispute Resolution Proceeding. I used the teleconference system to confirm that the tenant and I were the only ones who had called into the hearing.

The tenant stated that he no longer resided at the rental unit. He said he was forced out by the landlord as he wanted to sell the rental unit. I advised the tenant that I could only address the issue of the validity of the Notice at this hearing, and he would have to make another application for dispute resolution if he wanted to obtain any other orders against the landlord. I explicitly make no factual findings as to the truth of the tenant's allegations. Such allegations must be proven at a subsequent hearing.

As the tenant no longer resides at the rental unit, the tenant's application is moot. Accordingly, I dismiss it, 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: December 15, 2022

Residential Tenancy Branch