



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNC OLC PSF LRE FFT

### Introduction

This hearing was convened as a result of the tenants' Application for Dispute Resolution (application) seeking remedy under the *Residential Tenancy Act* (Act). The tenants applied to cancel a 1 Month Notice to End Tenancy for Cause (1 Month Notice), for an order directing the landlord to comply with the Act, regulation or tenancy agreement, for an order to provide services or facilities required by the tenancy agreement or law, for an order to suspend or set conditions on the landlord's right to enter the rental unit, site or property and to recover the filing fee.

Tenant MB-G (tenant) and the landlord attended the teleconference hearing. The parties were affirmed and both confirmed that the tenant vacated the rental unit on September 1, 2022.

### Preliminary and Procedural Matter

This decision will be sent to the email addresses for the parties confirmed during the hearing.

### Issue to be Decided

- Would proceeding with this application be senseless?

### Analysis

Based on the testimony provided during the hearing, and on the balance of probabilities, I find the following.

I find that due to the tenancy ending when the tenant vacated the rental unit on September 1, 2022, that it would be senseless to proceed with the application. I have reached this finding as all aspects of this application would only be relevant if the tenancy had not ended prior to the hearing. As the tenancy ended between the application date and the hearing date, **I dismiss the application in full, without leave to reapply.**

The filing fee is not granted as the application was dismissed without leave to reapply.

The landlord mentioned a future hearing in August 2023, the file number of which has been included on the cover page of this decision for ease of reference. That hearing is scheduled for 1:30 p.m. on August 22, 2023.

### Conclusion

This application has been dismissed without leave to reapply as the tenancy has ended.

The filing fee is not granted as noted above.

This decision will be emailed to both parties as described above.

This decision is final and binding on the parties, unless otherwise provided under the Act, and 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 9, 2022

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Residential Tenancy Branch