



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPC, FFL

Introduction

This hearing dealt with the Landlords' application under the *Residential Tenancy Act* (the "Act") for:

- an Order of Possession under a One Month Notice to End Tenancy for Cause dated November 20, 2022 pursuant to section 55; and
- authorization to recover the filing fee for this application from the Tenant pursuant to section 72.

The Landlords attended this hearing and gave testimony. The Tenant did not attend.

Preliminary Matter – Addition of Landlord

This application initially listed AS as the sole landlord and applicant. The Landlords confirmed that KS is AS's spouse and that they both own the rental unit. The Landlords explained that they had sent a written tenancy agreement to the Tenant for signing but it was not returned by the Tenant. Based on the Landlords' testimony, I have amended this application to include KS as a landlord and applicant.

Preliminary Matter – Tenancy Has Ended

KS confirmed that the Tenant has already moved out of the rental unit. Based on KS's testimony, I find the Landlords' claims to be no longer applicable since the Landlords have already re-possessioned the rental unit.

Conclusion

This application is dismissed without leave to re-apply since it is no longer applicable.

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: January 20, 2023

Residential Tenancy Branch