



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNE

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) for an order cancelling the One Month Notice to End Tenancy for end of employment issued by the landlord.

The tenant attended and confirmed that he vacated the rental unit near or at the end of November 2022 and did not need consideration of his application. The landlord did not attend.

The landlord called the Residential Tenancy Branch (RTB) on January 6, 2023, and spoke with staff. Notes from that conversation were recorded in the RTB digital file on this application. The landlord confirmed that the tenant vacated the rental unit and the security deposit had been returned.

Section 44 (1)(d) states that one way a tenancy ends is when a tenant vacates the rental unit. I find the issue in the tenant's application has now been resolved as the tenancy has ended when the tenant vacated the rental unit.

Given the above, I **dismiss** the tenant's application, without leave to reapply.

Conclusion

The tenants' application is dismissed without leave to reapply as the tenancy ended prior to the hearing.

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: January 09, 2023

Residential Tenancy Branch