



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Introduction

The Tenant filed an Application on September 11, 2022 for a cancellation of the One-Month Notice to End Tenancy for Cause (the “One-Month Notice”), and reimbursement of the Application filing fee.

The Landlord filed an Application on September 28, 2022 for an Order of Possession in line with the served One-Month Notice. Because the Tenant’s Application was already in place, the Landlord’s Application was crossed for the same scheduled hearing.

The matter proceeded by way of a hearing pursuant to s. 74(2) of the *Residential Tenancy Act* (the “Act”) on January 27, 2023.

The Landlord only attended the hearing to speak to the issue at hand. They provided that the Tenant already moved out from the rental unit on October 31, 2022.

Conclusion

Because the tenancy has ended, I dismiss the Tenant’s Application, without leave to reapply. I also dismiss the Landlord’s Application for the same reason. With the tenancy already ended, there was no need for an Order of Possession in this scenario.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under s. 9.1(1) of the *Act*.

Dated: January 27, 2023

Residential Tenancy Branch