



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

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DECISION

Dispute Codes ERP

Introduction

The tenant had originally sought an order for emergency repairs pursuant to sections 33 and 62(3) of the *Residential Tenancy Act* ("Act").

A teleconference hearing was held with the following participants in attendance: the tenant, his daughter, the landlord, and her spouse.

Preliminary Issue: Tenant Has Vacated Rental Unit

The tenant explained that he vacated the rental unit a short time ago in response to a notice to end tenancy given to him by the landlord. Therefore, the tenancy is now over. Because he no longer resides in the rental unit the tenant's application for an order for emergency repairs (something that is only ordered *during* a tenancy) is now moot. The tenant's application will be recorded as being dismissed without leave.

This decision, however, does not prevent the tenant from making an application for dispute resolution for any compensation that the tenant believes he may be entitled to.

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

Dated: February 9, 2023

Residential Tenancy Branch