



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC FFT

Introduction

This hearing dealt with an Application for Dispute Resolution (application) by the tenant seeking remedy under the *Residential Tenancy Act* (Act) to cancel a 1 Month Notice to End Tenancy for Cause (1 Month Notice) and to recover the cost of the filing fee.

The tenant, a translator for the tenant, AA (translator) and the landlord attended the teleconference hearing. At the start of the hearing, the parties confirmed that the tenant vacated the rental unit since filing their application. As a result, I find the tenant's application is no longer relevant as the tenancy ended by the tenant's own actions when the tenant vacated the rental unit prior to the hearing.

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

The landlord confirmed that they did not require an order of possession as the tenant has already returned possession of the rental unit back to the landlord.

I do not grant the filing fee as the tenant vacated the rental unit prior to the hearing.

Conclusion

The tenant's application is dismissed without leave to reapply due to the tenant vacating the rental unit prior to the hearing.

The filing fee is not granted.

This decision will be emailed to both parties at the email addresses confirmed for both parties during the hearing.

This decision is final and binding on the parties, except as 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: February 10, 2023

Residential Tenancy Branch