



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Housing

## DECISION

Dispute Codes      OPL

### Introduction

This hearing was convened as a result of the Landlord's application under section 55 of the *Residential Tenancy Act* (the "Act") for an Order of Possession under a two month notice to end tenancy for landlord's use of property.

The Landlord attended this hearing. The Tenants did not attend.

### Preliminary Matter – Tenancy Has Ended

The Landlord confirmed that the Tenants moved out of the rental unit on February 20, 2023, though the Tenants did not remove all of their personal belongings. The Landlord confirmed that the Tenants did not pay rent for March 2023 and no longer have the keys to the rental unit. Under these circumstances, I find that the tenancy is ended. As such, I find the Landlord's claim for an Order of Possession to no longer be applicable. Upon further consideration, I also do not find the Landlord will require leave to re-apply given my finding that this tenancy is already ended.

### Conclusion

Pursuant to section 62(4)(b) of the Act, this application is dismissed without leave to re-apply due to circumstances that have rendered it moot.

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: March 21, 2023

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Residential Tenancy Branch