



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      CNL, OLC, FFT

### Introduction

This hearing dealt with the tenant's application pursuant to the *Residential Tenancy Act* ("Act") for:

- cancellation of the landlord's Two Month Notice to End Tenancy for Landlord's Use of Property, dated December 27, 2022, and effective March 31, 2023 ("2 Month Notice"), pursuant to section 49;
- an order requiring the landlord to comply with the *Act*, *Residential Tenancy Regulation* or tenancy agreement, pursuant to section 62; and
- authorization to recover the \$100.00 filing fee paid for this application, pursuant to section 72.

The tenant did not attend this hearing. The landlord and the tenant's advocate attended this hearing and were each given a full opportunity to be heard, to present affirmed testimony, to make submissions, and to call witnesses. The hearing lasted approximately 7 minutes from 11:00 a.m. to 11:07 a.m.

Both parties provided their names and spelling. The tenant's advocate provided the tenant's name and spelling. Both parties provided their email addresses for me to send copies of this decision to both parties after this hearing.

The landlord confirmed that she owns the rental unit. She provided the rental unit address.

The tenant's advocate affirmed that she had permission to represent the tenant at this hearing.

Rule 6.11 of the Residential Tenancy Branch (“RTB”) *Rules of Procedure* (“Rules”) does not permit recordings of any RTB hearings by any participants. At the outset of this hearing, both parties separately affirmed, under oath, that they would not record this hearing.

I explained the hearing process to both parties. They had an opportunity to ask questions. Neither party made any adjournment or accommodation requests.

At the outset of this hearing, both parties confirmed that the tenant vacated the rental unit. The landlord confirmed that she took back possession of the rental unit and she did not require an order of possession against the tenant.

This tenancy has ended, and the tenant’s application claims relate to an ongoing tenancy only. For the above reasons, I informed both parties that the tenant’s entire application, including the \$100.00 filing fee, was dismissed without leave to reapply. They affirmed their understanding of same.

#### Conclusion

The tenant’s entire application is dismissed without leave to reapply.

The landlord is not issued an order of possession against the tenant.

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: May 05, 2023

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Residential Tenancy Branch