



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing

DECISION

Dispute Codes CNL-4M-MT, CNR, OLC

Introduction

Pursuant to section 58 of the Residential Tenancy Act (the Act), the Tenants applied to cancel the following notices:

- Four Month Notice to End Tenancy for Demolition or Conversion of the Rental Unit
- 10-Day Notice to End Tenancy for Unpaid Rent

The Tenants also applied for an Order for the Landlord to Comply with the Act, regulation and/or the tenancy agreement stating that the amount of unpaid rent claimed by the Landlord is inaccurate.

Background and Evidence

The tenancy commenced on January 30, 2021 with a previous landlord. The tenancy was month-to-month for a monthly rent of \$2,870 due on the first day of each month. Landlord is currently holding a security deposit of \$900.

The Tenants have moved out and the rental unit was demolished in March, 2023. Additionally, during the hearing, the Tenant advised that she was withdrawing her application to cancel the Four Month Notice as the home had been demolished.

The Landlords stated that the unpaid rent at issue concerned one-half of December 2022 rent (which the Tenant admitted was unpaid); January and February 2023 rent. The Tenant testified that she did not know how the Landlords had determined the amount of rent due. A copy of the second page of the 10-Day Notice was not provided in evidence.

Analysis

Under section 58 of the Residential Tenancy Act (the Act), the Tenants applied to cancel a Four Month Notice to End Tenancy for Demolition or Conversion of the Rental Unit and a 10-Day Notice to End Tenancy for Unpaid Rent.

The Tenants also applied for an Order for the Landlord to Comply with the Act, regulation and/or the tenancy agreement stating that the amount of unpaid rent claimed by the Landlord is inaccurate.

The parties agreed that the tenancy is already over and the rental unit has been demolished. A different proceeding has been scheduled in September 2023 for the issue of unpaid rent.

As the tenancy has terminated, there is no basis to consider the Tenants' application which is related to the continuation of the tenancy. The Tenants' application is dismissed.

Conclusion

This matter is dismissed.

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 31, 2023

Residential Tenancy Branch