



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Ministry of Housing

DECISION

Dispute Codes CNC, OLC, FFT

Introduction

This hearing was convened as a result of an application under the Residential Tenancy Act (the “Act”) for:

- cancellation of a One Month Notice to End Tenancy for Cause dated February 1, 2023 pursuant to section 47;
- an order that the Respondent to comply with the Act, the regulations, or tenancy agreement pursuant to section 62; and
- authorization to recover the filing fee for this application from the Respondent pursuant to section 72.

The Respondent attended this hearing. The Applicant did not attend. I left the teleconference hearing connection open until 9:43 am in order to enable the Applicant to call into the hearing scheduled to start at time. I confirmed that the correct call-in numbers and participant access code had been provided in the notice of dispute resolution proceeding. I used the teleconference system to confirm that the Respondent and I were the only ones who had called into the hearing.

The Respondent’s evidence was that she was the Applicant’s roommate, but also had permission from the houseowner to collect rent on the owner’s behalf and to give notices to end tenancy. The Respondent confirmed that the Applicant has since moved out of the property.

I note it appears that the Applicant may not have named the correct respondent for this application. However, I find the claims raised in this application are moot since the Applicant already moved out. I find this application no longer discloses a dispute to be determined.

Conclusion

Pursuant to section 62(4)(b) of the Act, I dismiss this application in its entirety 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: May 29, 2023

Residential Tenancy Branch