



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing

A matter regarding 959630 ALBERTA INC., INC.NO. 65147A
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNR, CNC, RP, LRE, OLC, FFT

Introduction

This hearing was scheduled to deal with a tenant's application, as amended. The tenants requested several remedies including:

- Cancellation of a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities
- Cancellation of a One Month Notice to End Tenancy for Cause
- Repair orders
- Orders for compliance
- Orders to suspend or set conditions on the landlord's right to enter the rental unit

Both parties appeared and/or were represented at the hearing.

Preliminary and Procedural Matters

Shortly after the hearing started both parties provided consistent statements that the tenants have vacated the rental unit. As such, I find the remedies sought by the tenants by way of their application are now moot.

The tenant indicated that they want to pursue the landlord for monetary damages. The tenants had not filed an Amendment indicating they were adding a monetary claim to this application. Accordingly, there was no monetary claim before me. The parties were informed of their right to file another Application for Dispute Resolution if they wish to pursue a monetary claim against the other party.

On another procedural note, I did not consider granting the landlord a Monetary Order for unpaid rent or unpaid utilities under section 55(1.1) of the Act as the 10 Day Notice before me does not indicate rent or utilities were outstanding. Rather, it indicates a pet

damage deposit was not paid; however, a 10 Day Notice cannot be used for purposes other than unpaid rent or unpaid utilities.

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: June 13, 2023

Residential Tenancy Branch