



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing

DECISION

Dispute Codes OPU, MNRL-S, FFL

This dispute concerns the Landlords' February 7, 2023 application for Dispute Resolution regarding a 10-Day Notice to End Tenancy for Unpaid Rent and Utilities and requests for an order of possession of the rental unit; a monetary order for unpaid rent and utilities; and, reimbursement of the filing fee.

The Landlord attended the hearing scheduled in this matter to inform that the Tenants had vacated the rental unit and he had possession of the rental unit, but he had not been able to serve the Tenants with the Dispute Resolution packet, hearing notice and the evidence he had submitted to the RTB as required by section 71(2) of the Act.

As the tenancy has ended, I order the Landlords' application for an order of possession be dismissed without leave to reapply.

I further order the Landlords' application for a monetary order for unpaid rent and utilities, and reimbursement of the filing fee be dismissed with leave to reapply.

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 05, 2023

Residential Tenancy Branch