



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing

DECISION

Dispute Codes **ERP**

Introduction

This hearing dealt with the Tenant's application pursuant to the *Residential Tenancy Act* (Act) for an Order for the Landlord to make emergency repairs for health or safety reasons under Section 33 of the Act.

The hearing was conducted via teleconference. The Landlord attended the hearing at the appointed date and time and provided affirmed testimony. The Tenant did not attend the hearing. I confirmed that the correct call-in numbers and participant codes had been provided in the Notice of Hearing. I also confirmed from the teleconference system that the Landlord and I were the only ones who had called into this teleconference. The Landlord was given a full opportunity to be heard, to make submissions, and to call witnesses.

I advised the Landlord that Rule 6.11 of the Residential Tenancy Branch (RTB) Rules of Procedure prohibits the recording of dispute resolution hearings. The Landlord testified that she was not recording this dispute resolution hearing.

At the outset of the hearing, the Landlord testified that the Tenant vacated the rental unit in the middle of May 2023. No one is residing in the residential property.

As the Tenant vacated the rental unit approximately on May 15, 2023 under Section 44(1)(d) of the Act, I find the tenancy has ended. Pursuant to Section 62(4), I have no authority to decide the claim before me. I dismiss the Tenant's application without leave to re-apply.

Conclusion

The tenancy ended on May 15, 2023 under Section 44(1)(d) of the Act. As the tenancy has ended, pursuant to Section 62(4), I have no authority to decide the claim before me.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the Act.

Dated: June 12, 2023

Residential Tenancy Branch