



Dispute Resolution Services

Residential Tenancy Branch
Ministry of Housing

Page: 1

DECISION

Dispute Codes CNL-MT OLC FFT

Introduction

The Tenant had sought various relief under the *Residential Tenancy Act* (the “Act”). Namely, for an order cancelling a notice to end the tenancy, an order for landlord compliance, and recovery of the application fee. Both parties attended the hearing.

Preliminary Issue and Conclusion: Tenancy Has Ended

The tenancy ended on April 22, 2023. The Tenant explained that they could not wait until the hearing to find out what would happen with the notice to end tenancy, and that the Landlord’s family needed to move into the rental unit. The Tenant has moved out.

The Tenant asked whether I could still consider the circumstances surrounding the issuing of the notice to end tenancy and determine whether the Tenant might have been able to stay had they not vacated. Unfortunately, as explained, it falls outside my role in this type of dispute to provide hypothetical findings based on circumstances that no longer exist. That the Tenant decided to end the tenancy by vacating the rental unit (see section 44(1)(d) of the Act) brings the tenancy to an end and there is nothing further for me to decide or to make findings of law on.

Because the relief sought is now moot, the application is dismissed.

This decision is made on delegated authority under section 9.1(1) of the Act.

Dated: June 15, 2023

Residential Tenancy Branch