



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Ministry of Housing

## **DECISION**

Dispute Codes      ERP

### Introduction

This expedited hearing dealt with an application by the tenant pursuant to the Residential Tenancy Act (the “Act”) an order for the landlord to make emergency repairs for health or safety reasons pursuant to sections 33 and 62 of the Act.

RF, agent for the landlord, and SU, the tenant attended the hearing.

RF stated that they are not the landlord and provided the landlord’s name. Pursuant to section 64(3)(a) of the Act, I amend the tenant’s application to remove the landlord’s agent’s name and include the landlord’s name.

When questioned, the tenant testified that they are no longer residing in the rental unit and have not been for some time. The landlord did not provide oral testimony confirming the same; however, the tenant’s testimony is consistent with the landlord’s documentary evidence that the tenant vacated the rental unit on May 12, 2023.

Based on the evidence and testimony of the parties, I find that the tenancy is over and as a result, the tenant’s application for the landlord to make emergency repairs for health and safety reasons is no longer applicable to the circumstances of the parties.

Section 62(4)(b) of the Act states an application should be dismissed if the application or part of an application for dispute resolution does not disclose a dispute that may be determined under the Act. I exercise my authority under section 62(4)(b) of the Act to dismiss these applications for dispute resolution as this tenancy ended prior to the hearing and the relief sought is no longer necessary.

Accordingly, I dismiss the tenant’s application.

Conclusion

The tenant's application is dismissed without 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 02, 2023

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Residential Tenancy Branch