



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Housing

A matter regarding TINY SECRETS FARM  
and [tenant name suppressed to protect privacy]

## DECISION

### Introduction, Preliminary and Procedural Matters-

This hearing convened to deal with the tenant's application for dispute resolution (application) seeking remedy under the Residential Tenancy Act (Act). The tenant applied on June 5, 2023, for an order requiring the landlord to make emergency repairs to the rental unit for health or safety reasons and recovery of the filing fee.

The tenant, the tenant's witness and the landlord attended the hearing. The parties were affirmed.

In discussing preliminary matters, brought forth by the landlord's documentary evidence, the tenant said they vacated the rental unit on June 30, 2023. This was in relation to an earlier dispute resolution on April 25, 2023. That dispute resolution concluded by the mutual settled agreement of the parties. The tenant agreed to vacate the rental unit by June 30, 2023, and the landlord was issued an order of possession of the rental unit, effective on that date.

The tenant agreed they have vacated the rental unit, pursuant to the settled agreement.

### Analysis and Conclusion

I informed the tenant I could not proceed on their application for dispute resolution, as the tenancy ended on the date they vacated the rental unit, and in all cases, by June 30, 2023, the effective date of the order of possession.

As the tenant's application relates to their request for emergency repairs, I find this request concerns an ongoing tenancy. As the tenancy has ended, it was no longer necessary to consider this request as the matter is now moot.

Given the above, I **dismiss** the tenant's application, without leave to reapply.

As I did not consider the merits of the tenant's application, I dismiss the request for recovery of the filing fee, 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*. Pursuant to section 77(3) of the Act, a decision or an order is final and binding, except as otherwise provided in the Act.

Dated: July 06, 2023

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Residential Tenancy Branch