



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing

DECISION

Dispute Codes CNR-MT, CNC-MT, CNL-MT, PSF, LRE, OLC, FFT

Introduction

Under section 58 of the Residential Tenancy Act (the “Act”), this hearing dealt with the tenant’s May 23, 2023, application to the Residential Tenancy Branch for:

- (i) an order cancelling a 10 Day Notice to End Tenancy for Unpaid Rent (the “Notice”) pursuant to section 46(4)(b) of the Act;
- (ii) more time to dispute the Notice under section 66 of the Act;
- (iii) an order cancelling a One Month Notice to End Tenancy for Cause under section 47 of the Act;
- (iv) more time to dispute the above notice under section 66 of the Act;
- (v) an order cancelling a Two Month Notice to End Tenancy for Landlord's Use of Property under section 49 of the Act;
- (vi) more time to dispute the above notice under section 66 of the Act;
- (vii) an order for the landlord to provide services or facilities required by the tenancy agreement under section 27 of the Act;
- (viii) an order to suspend or set conditions on the landlord's right to enter the rental unit under section 70 of the Act;
- (ix) an order for the landlord to comply with the Act under section 62 of the Act;
and
- (x) authorisation to recover the cost of the filing fee under section 72 of the Act.

Preliminary Issue – landlord already has possession of rental unit

The tenant affirmed that the tenant vacated the rental unit on May 30, 2023, and the landlord currently has possession of the rental unit. The current application before me to cancel the Notice is moot since the landlord already has possession of the rental unit.

Section 62(4)(b) of the Act states that 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 the application to cancel the Notice.

The tenant's other claims relate to their ongoing possession of the rental unit. I dismiss these remaining claims because the tenancy has ended.

Conclusion

The 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: July 18, 2023

Residential Tenancy Branch