



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing

DECISION

Dispute Codes OLC

This dispute relates to the Tenant's August 3, 2023 and August 10, 2023 Applications for Dispute Resolution seeking remedy under the *Residential Tenancy Act* (Act) pursuant to Section 62(3) of the Act for an order that the Landlord comply with this Act, the regulations or a tenancy agreement and an order that this Act applies.

Analysis and Conclusion

At the commencement of the hearing while reviewing preliminary matters, the Tenant advised that she had moved out of the rental unit on October 31, 2023.

As I informed the Tenant during the hearing, I cannot proceed on her applications for dispute resolution, as the tenancy ended on the date she vacated the rental unit on October 31, 2023, as provided in section 44(1)(d) of the Act. As to the Tenant's request for the orders against the landlord, I find the request relates to a continuing tenancy. As the tenancy has ended, it was no longer necessary to consider this request as the matters are now moot points. Therefore, the Tenant's applications were moot. I make no findings on the Tenant's applications.

The Tenant stated that she sought an award for compensation for loss of quiet enjoyment during the tenancy. However, again as noted to the Tenant during the hearing, she had not made that claim in her applications. I make no findings on the Tenant's request for compensation for loss of quiet enjoyment during the tenancy.

I dismiss the Tenant's applications, 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: November 16, 2023

Residential Tenancy Branch