

DECISION

Introduction

This hearing dealt with the Tenant's Application for Dispute Resolution under the *Residential Tenancy Act* (the "Act") for:

- cancellation of the Landlord's Two Month Notice to End Tenancy for Landlord's Use of Property (Two Month Notice) under section 49 of the Act
- an order requiring the Landlord to comply with the Act, regulation or tenancy agreement under section 62 of the Act
- authorization to recover the filing fee for this application from the Landlord under section 72 of the Act

The hearing also dealt with the Landlord's Application under the Act for:

- an Order of Possession based on a Two Month Notice to End Tenancy because the Tenant Does Not Qualify for Subsidized Rental Unit (Two Month Notice) under sections 49.1 and 55 of the Act
- authorization to recover the filing fee for this application from the Tenant under section 72 of the Act

The Landlord attended the hearing. The Tenant did not attend the hearing. The Landlord indicated that the Tenant moved out on May 3, 2024 and that possession has been recovered. The Landlord is no longer seeking return of the filing fee. For that reason, I am dismissing both applications without leave to reapply.

Conclusion

The tenancy has ended. I am therefore dismissing both 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 Act.

Dated: May 6, 2024

Residential Tenancy Branch