



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Public Safety and Solicitor General

DECISION

Dispute Codes:

CNC

Introduction

The respondent attended the hearing at the scheduled time; 10:30 a.m.

The applicant/tenant did not attend the hearing and at 10:40 a.m., the hearing was ended.

The respondent indicated that the tenant has stated she will move out tomorrow and that she has withdrawn her Application.

During the hearing the landlord stated that she wants the tenancy to end, based on a Notice for cause disputed by the tenant, which was issued on January 29, 2010.

The landlord was informed that if the tenant has cancelled this hearing, and the landlord has been informed by the tenant that she was withdrawing her Application, an Order ending the tenancy, pursuant to section 55 of the Act, may not be issued if the tenant has informed the landlord that she has cancelled her hearing and submitted notification to the Residential Tenancy Branch (RTB.) The landlord stated she believed notification was submitted by the tenant.

After the hearing I determined that evidence was submitted in which the parties confirmed, in writing, that a mutual agreement had been reached, ending the tenancy. Written notice dated February 25, 2011, was provided, in which the tenant stated she would move by mid-night on March 1, 2011.

Therefore, based on the evidence before me, I find that this Application has been withdrawn by the tenant.

Conclusion

The tenant withdrew her Application.

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: February 28, 2011.

Residential Tenancy Branch