



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Public Safety and Solicitor General

DECISION

Dispute Codes CNC

Introduction

This hearing was scheduled to hear a tenant's application to cancel a 1 Month Notice to End Tenancy. Both parties appeared at the hearing. I noted that no documents had been submitted by either party for this application. The tenant's agent submitted that this application was made in an effort to protect the tenant's right to a hearing at the same time an application for review was made under file number xxxxx. I determined that a hearing is scheduled for May 2, 2011 at 1:30 p.m. pursuant to a review decision issued under file number xxxxxx to deal with the same issue raised under this application. The parties also indicated that evidence has been submitted to the Residential Tenancy Branch under file number xxxxxx.

As this matter has previously been raised under file number xxxxxx and evidence submitted for that file number, I have determined that the matter shall be heard and decided upon by way of the hearing set for May 2, 2011 under file number xxxxxx. Accordingly, I did not proceed with this application and I did not make any findings of fact or law with respect to the matter under dispute.

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: April 12, 2011.

Residential Tenancy Branch