



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, FF

Introduction

This matter dealt with an application by the Tenant to cancel a One Month Notice to End Tenancy for Cause dated May 31, 2011 and to recover the filing fee for this proceeding. At the beginning of the hearing, the Landlord's agent said she wished to withdraw the One Month Notice to End Tenancy and the Tenant consented. In the circumstances, I find that the Tenant is entitled to recover from the Landlord the \$50.00 filing fee she paid for this proceeding and I order pursuant to s. 72(2) of the Act that she may deduct that amount from her next rent payment when it is due and payable.

Conclusion

The One Month Notice to End Tenancy for Cause dated May 31, 2011 is withdrawn. Consequently, the Tenant's application to cancel the Notice is dismissed and the Tenant's application to recover the filing fee for this proceeding is granted. 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 05, 2011.

Residential Tenancy Branch