



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, FF

This hearing dealt with an application by the tenant for an order setting aside a notice to end this tenancy and recovery of the filing fee paid to bring the application.

At the hearing, counsel for the estate of the tenant explained that an application has been made to the court for a grant of probate and upon probate being granted to the proposed executors, the arrears can be settled at that time. The agent for the landlord agreed to withdraw the notice to end tenancy but preserved his right to bring a monetary claim in the future for past arrears as well as future rent payable. Counsel for the tenant withdrew the claim for recovery of the filing fee.

As this issue has been settled, no further action is required and the file is closed accordingly.

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: October 17, 2011

Residential Tenancy Branch