



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      CNC and FF

### Introduction

This hearing was convened on the tenants' application of December 13, 2011 to have set aside a Notice to End Tenancy for cause served on December 8, 2011. The tenants also sought to recover the filing fee for this proceeding from the landlord.

During the hearing, the parties concurred that the Notice to End Tenancy had been served to the applicant tenants in error following noise and behavioural complaints that had actually originated in the rental unit next door. That error was attested to by written submissions by neighbours on both sides of the subject rental unit.

The landlord confirmed that he had withdrawn the Notice to End Tenancy served on the applicant tenants. The notice is thereby extinguished and the present matter has been concluded as settled.

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: December 22, 2011.

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Residential Tenancy Branch