



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

**Dispute Codes:** CNC, OLC, AAT, FF

### **Introduction**

This hearing dealt with an application by the tenant for an order to set aside a notice to end tenancy for cause, for an order directing the landlord to comply with the Act, allow the tenant access to the unit and for the recovery of the filing fee. Both parties attended the hearing and had opportunity to be heard.

### **Issue to be Decided**

Does the landlord have grounds to end this tenancy? Is the tenant entitled to the recovery of the filing fee?

### **Background and Evidence**

The tenant stated that on January 15, 2013, he received a notice to end tenancy for cause. Neither party filed a copy of the notice. The landlord did not file any evidence to support the reasons for the notice to end tenancy. The tenant disputed the notice in a timely manner. During the hearing the tenant informed me that he was moving out on March 01, 2013. The landlord agreed to allow the tenancy to continue until this date.

### **Analysis**

The parties agreed to end the tenancy effective March 01, 2013. Since the tenancy is ending, the remainder of the tenant's application is moot and accordingly dismissed.

The tenant made application to dispute the notice and then decided to move out. Therefore I find that the tenant must bear the cost of filing his application.

**Conclusion**

By mutual agreement, the tenancy will end on or before 1:00 p.m. on March 01, 2013.

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 14, 2013

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Residential Tenancy Branch

