



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, O and FF

Introduction

By application of February 21, 2013, the tenant sought to have set aside a 10-day Notice to End Tenancy for unpaid utilities dated February 19, 2013. The tenant also sought a ruling on whether and in what proportion she is responsible for utilities payments and to recover the filing fee for this proceeding from the landlord.

At the commencement of the hearing, the tenant advised that she has given notice to vacate the rental unit on March 31, 2013, that she has paid utilities, and that the subject Notice to End Tenancy is no longer in effect.

The tenant also stated that she had not picked up the phone message from our office from February 22, 2013 that her hearing package was ready until very recently and had not had time to serve the landlord and submit evidence.

Accordingly, I permitted the tenant to withdraw her application, allowing her to file a future application to claim return of a portion or all of the utilities payments in 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: March 20, 2013

Residential Tenancy Branch

