



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC

Introduction

This hearing dealt with the tenants' application for dispute resolution under the Residential Tenancy Act (the "Act") seeking an order cancelling a 1 Month Notice to End Tenancy for Cause (the "Notice").

Neither the tenants nor the landlord appeared at the hearing; however the advocates representing the tenants appeared.

The legal advocates said that their clients, the tenants, indicated that the landlord was served with their Application for Dispute Resolution and Notice of Hearing by leaving it with the landlord's agent, the person issuing the Notice, on May 22, 2013.

I accept that the landlord was served notice of this hearing in a manner complying with section 89 of the Residential Tenancy Act (the "Act") and the hearing proceeded in the landlord's absence.

Issue(s) to be Decided

Are the tenants entitled to have the Notice cancelled?

Background and Evidence

The tenants' advocates stated that the female tenant informed the advocates that she, the tenant, has been in contact with the landlord's agent who issued the Notice. The tenant indicated that the landlord and the tenants have resolved their differences which lead to the Notice being issued and that the landlord asked that their Notice be withdrawn.

Analysis

In the absence of the tenants or the landlord, I accept the testimony of the tenants' advocates and find that both parties consented that the landlord's 1 Month Notice, date "14th Tuesday 2013" should be withdrawn, as allowed under Residential Tenancy Branch Policy Guideline 11.

As such, I accept that the Notice should be and it is hereby withdrawn and is now of no force or effect. I make no finding on the merits of the Notice and the tenancy shall continue until it may otherwise end under the Act.

Conclusion

The Notice which is the subject of this dispute resolution is hereby withdrawn, of no force or effect, and the tenancy continues until it may otherwise end under the Act.

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: June 14, 2013

Residential Tenancy Branch