



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNR, CNL

### Introduction

This matter dealt with an application by the Tenants to cancel a Notice to End Tenancy.

The Tenant said she served the Landlords with the Application and Notice of Hearing (the “hearing package”) by registered mail on August 13, 2013. Based on the evidence of the Tenant, I find that the Landlords were served with the Tenant’s hearing package as required by s. 89 of the Act and the hearing proceeded with all parties in attendance.

At the start of the conference call the Tenant said she had moved out of the rental unit on August 9, 2013 and therefore she does not require the Notice to End Tenancy dated August 1, 2013 to be canceled. The Tenant said she is withdrawing the application.

As well the Tenant said she serviced the Landlord with an evidence package by registered mail on September 13, 2013, which contains a monetary claim. The Landlord said he received the package on the day of the Hearing September 17, 2013.

The Arbitrator indicated to the Tenant that there is a process to amend an application and all amended applications and evidence must be served to the Respondents 5 days prior to the Hearing. Consequently as the Tenant did not amend the application to include the monetary claims and did not serve the Respondent 5 days prior to the Hearing the Tenants monetary claim was not accepted by the Arbitrator. The Tenant is at leave to reapply for the monetary claim.

Conclusion

The Tenant's application to cancel the Notice to End Tenancy is withdrawn and the file is closed.

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: September 17, 2013

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Residential Tenancy Branch

