



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, OPT

Introduction and Preliminary Matter

This hearing dealt with the tenant's 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") and order of possession for the rental unit.

The parties appeared and the tenant reaffirmed the contents of her documentary evidence, which was that she received a notice from the landlords that they wanted to withdraw the 1 Month Notice to End Tenancy for Cause. The tenant did not withdraw her application as she believed that her attendance was required because the hearing had been duly scheduled.

At the hearing, the landlord also confirmed that they wanted to withdraw the 1 Month Notice and in response to my question, the tenant consented.

I note that I was unaware of the date and contents of the Notice as it was not submitted into evidence.

Analysis and Conclusion

Due to the tenant's consent, I accept the landlord's request that the Notice should be and it is hereby withdrawn and is now of no force or effect.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.

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* and is being mailed to both the applicant and the respondent.

Dated: October 21, 2013

Residential Tenancy Branch

