



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding British Columbia Housing Management Commission
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNL, CNQ, 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 the landlord's 2 Month Notice to End Tenancy Because the Tenant Does Not Qualify for Subsidized Rental Unit and order of possession for the rental unit.

Both parties attended the hearing, and the issue of the Notice was discussed, due to the evidentiary submissions of the landlord.

The landlord had provided a copy of a letter, dated December 30, 2013, issued to the tenant stating that as the tenant had now complied with their request for financial information, the landlord has rescinded their 2 Month Notice, which was to take effect on January 31, 2014.

At the hearing, the landlord confirmed that they were withdrawing their Notice.

In response to my question, the tenant consented that the Notice could be withdrawn.

Analysis and Conclusion

The parties mutually agreed that the landlord's 2 Month Notice, dated November 8, 2013, effective January 31, 2014 (incorrectly dated June 31, 2013) should be withdrawn.

Due to the tenant's consent, I accept that the Notice should be and it is hereby withdrawn and is now of no force or effect.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

The tenant's application for dispute resolution seeking cancellation of the Notice is withdrawn.

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: January 31, 2014

Residential Tenancy Branch

