



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Hezz Camp Co. Ltd.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNC, FF

Introduction and Preliminary Matters

This hearing dealt with the tenants' application for dispute resolution under the *Manufactured Home Park Tenancy Act* (the "Act") seeking cancellation of a 1 Month Notice to End Tenancy for Cause (the "Notice") and recovery of the filing fee.

The parties appeared and at the outset of the hearing, the landlord shared that the tenants were moving from the pad site, the subject of this dispute resolution, by January 31, 2014, after the tenants gave the landlord their notice of their intent to vacate.

The tenants confirmed that there was no necessity to go forward on their application seeking cancellation of the landlord's Notice.

The tenants agreed that their application be withdrawn; additionally the tenants requested recovery of their filing fee.

The landlord contended that the Act did not apply to this dispute, and that the Residential Tenancy Branch ("RTB") did not have jurisdiction over this matter, despite having issued the tenants a 1 Month Notice seeking the end of this tenancy on an official RTB form for relief under the Act.

Analysis

As the tenants requested withdrawal of their application due to their intent to vacate at the end of January 2014, I grant this request, having made no findings of fact or law.

As there was no consideration of the tenants' application for cancellation of the Notice, I do not award the tenants recovery of their filing fee.

Conclusion

The tenants' application has been withdrawn.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 *Manufactured Home Park Tenancy Act*.

Dated: January 27, 2014

Residential Tenancy Branch

