



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

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

DECISION

Dispute Codes MT, CNQ

Introduction

This hearing dealt with the tenants' application pursuant to the *Residential Tenancy Act* (the *Act*) for:

- more time to make an application to cancel the landlord's 2 Month Notice to End Tenancy Because the Tenant Does not Qualify for Subsidized Rental Unit (the 2 Month Notice) pursuant to section 66; and
- cancellation of the landlord's 2 Month Notice pursuant to section 49.1.

The tenants did not attend this hearing, although I waited until 9:43 a.m. in order to enable them to connect with this teleconference hearing scheduled for 9:30 a.m. The landlord attended the hearing and was given a full opportunity to be heard, to present sworn testimony, to make submissions and to call witnesses.

At the commencement of this hearing, the landlord's representative (the landlord) gave sworn testimony that she had discussed the tenants' application and this tenancy with an advocate representing the interests of the tenants a few days before this hearing. The landlord testified that the landlord was no longer seeking to end this tenancy on the basis of the 2 Month Notice. She said that she was rescinding the 2 Month Notice.

Under these circumstances, I allow the tenants' application to cancel the 2 Month Notice. The 2 Month Notice is of no force or effect and this tenancy continues.

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 30, 2014

Residential Tenancy Branch

