



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MT, CNR

Introduction

This hearing dealt with the tenant's application pursuant to the *Residential Tenancy Act* (the "Act") for more time to make his application and for cancellation of the landlord's 10 Day Notice to End Tenancy for Unpaid Rent or Utilities (the 10 Day Notice) pursuant to section 46.

The tenant appeared at the hearing at the designated time. The landlord did not appear although I waited until 1359 before concluding the hearing scheduled to commence at 1330.

The tenant testified that he personally served the landlord with the dispute resolution package on 23 December 2014. On the basis of this evidence, I am satisfied that the landlord was served with the dispute resolution package pursuant to section 89 of the Act.

Tenant's Request to Withdraw Application

The tenant stated that he and the landlord had reached a settlement whereby the tenancy would continue and the tenant would make monthly payments of \$50.00 for six months. The tenant provided me with a copy of the settlement agreement and a copy of the receipt the landlord issued for his first payment under the settlement agreement.

The tenant stated that he did not need to go ahead with his application and asked that he be allowed to withdraw his application. As there is no prejudice to the landlord by allowing the tenant to withdraw his application, I allowed it.

Conclusion

The tenant's application is withdrawn.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under subsection 9.1(1) of the Act.

Dated: January 21, 2015

Residential Tenancy Branch

