



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding ATIRA PROPERTY MANAGEMENT INC
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNC

Introduction

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

- cancellation of the landlord's 1 Month Notice to End Tenancy for Cause, dated September 11, 2015 ("1 Month Notice"), pursuant to section 47;

The landlord's agent, TC ("landlord") and the tenant attended the hearing and were each given a full opportunity to be heard, to present sworn testimony, to make submissions, and to call witnesses. The landlord confirmed that she is a property management assistant for the landlord company named in this application and that she had authority to represent it as an agent at this hearing.

The landlord confirmed receipt of the tenant's application for dispute resolution hearing package ("Application"), which was filed on September 17, 2015. In accordance with sections 89 and 90 of the *Act*, I find that the landlord was duly served with the tenant's Application.

The tenant confirmed receipt of the landlord's 1 Month Notice on September 11, 2015, by way of posting to his rental unit door. The notice states an effective move-out date of October 31, 2015. In accordance with sections 88 and 90 of the *Act*, I find that the tenant was duly served with the landlord's 1 Month Notice.

At the outset of the hearing, the landlord testified that she wished to withdraw the landlord's 1 Month Notice and not seek an order of possession against the tenant. The landlord confirmed that she was aware that the 1 Month Notice would be cancelled and the landlord would have to issue a new notice to end tenancy in order to pursue future eviction of the tenant. The landlord confirmed that this tenancy would continue until ended in accordance with the *Act*.

Conclusion

The landlord's 1 Month Notice, dated September 11, 2015, is cancelled and of no force or effect. This tenancy continues until it is ended in accordance with 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*.

Dated: November 06, 2015

Residential Tenancy Branch

