



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding RODDAN LODGE CITY OF VANCOUVER
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNC, MT, LRE

Introduction

This hearing was convened by conference call in response to an Application for Dispute Resolution (the "Application") made by the Tenant on February 3, 2016 to cancel a 1 Month Notice to End Tenancy for Cause (the "Notice") dated January 26, 2016. The Tenant also applied for more time to cancel the Notice and to suspend or set conditions on the Landlord's right to enter the rental unit.

An agent for the Landlord appeared for the hearing and provided affirmed testimony. The Tenant appeared late for the hearing as he was having trouble dialing into the hearing.

At the onset of the hearing, the Landlord explained that he had withdrawn the Notice and that the tenancy was to continue. Residential Tenancy Branch Policy Guideline 11 explains that a landlord or tenant cannot unilaterally withdraw a notice to end tenancy unless there is consent from the party to whom it is given. When the Tenant appeared on the call, he consented to the withdrawal of the Notice dated January 26, 2016.

The Tenant then withdrew his Application. The Tenant also explained that he had made another Application (the file number for which appears on the front page of this decision), scheduled to be heard on March 23, 2016 at 1:00 p.m. The Tenant explained that he also wanted to cancel that hearing and the Landlord took no issue with the cancellation as it related to the same issues for this hearing. The parties were advised during the hearing that there is no requirement for them to appear for the hearing on March 23, 2016.

At the conclusion of the hearing, the Tenant made an allegation that the janitor of the building where the rental unit is threw out his personal property in the middle of March 2016. The Landlord disputed this allegation. The Tenant did not amend or provide supporting evidence to corroborate these allegations for this hearing. Therefore, the Tenant was informed that he was at liberty to seek remedy for this issue by making an Application. The Tenant was informed that he would bear the burden to prove the allegations he was making. This file and the related file are now closed.

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: March 17, 2016

Residential Tenancy Branch

