



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MT, CNC, DRI, FF

This hearing was convened in response to an application by the Tenant pursuant to the *Residential Tenancy Act* (the "Act") for Orders as follows:

1. An Order allowing more time to make an application to cancel and notice to end tenancy - section 66;
2. An Order cancelling a notice to end tenancy - Section 47;
3. An Order cancelling a rent increase - Section 43; and
4. An Order to recover the filing fee for this application - Section 72.

The Landlord and Tenant both appeared. The Tenant confirmed that he is moving out of the unit within 2 days and no longer wishes to dispute the end of the tenancy. The Tenant confirmed that the rent increase will not take effect before the Tenant moves out of the unit. Given the confirmation of the Tenant I dismiss the application.

Section 55(1) provides that if a tenant makes an application for dispute resolution to dispute a landlord's notice to end a tenancy, an order of possession must be granted to the landlord if, the notice to end tenancy complies in form and content and the tenant's application is dismissed or the landlord's notice is upheld. As the Notice complies and as the Tenant's application has been dismissed I find that the Landlord is entitled to an order of possession. I therefore grant an Order of Possession to the Landlord effective two days after service of the Order on the Tenant.

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: July 20, 2016

Residential Tenancy Branch