



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding REMAX MANAGEMENT SOLUTIONS
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNC, FF

Introduction

This hearing dealt with an Application for Dispute Resolution by the tenants filed under the Residential Tenancy Act (the "Act"), to cancel 1 Month Notice to End Tenancy for Cause, (the "Notice") issued on August 25, 2016.

Both parties appeared.

Preliminary matter

At the outset of the hearing the landlord indicated that they are not sure why the hearing was scheduled, as the parties cancelled the Notice earlier.

The tenants indicated that they knew the landlord had agreed to cancel the Notice; however, they have trust issues with the landlord, who is the owners representative.

The tenants indicated that they were hoping that the hearing could result in a mutual agreement to end the tenancy, as they do not want to have any relationship with the owners' property manager. The landlord stated that the tenants are bound by their fixed term agreement and they are not willing to end the tenancy by mutual agreement.

In this case, the parties have mutually cancelled the Notice. Therefore, I find there are no issues for to be determined at today's hearing.

Although section 63 of the Act, gives me the authority to assist parties to settle their disputes. However, in this case the tenants want to end the fixed term tenancy agreement by mutual agreement. The landlord is not agreeable to this. Therefore, I find I am unable to assist the parties on this issue any further.

Further, I have no authority under the Act, to have the owner change their representative as that is a business choice the owner is entitled to make.

Therefore, as today's hearing was scheduled to cancel the Notice and that matter had been resolved earlier, I decline to award the tenants the filing fee.

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: September 28, 2016

Residential Tenancy Branch