



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNL, FF

Introduction

On July 29, 2016, the Tenant submitted an Application for Dispute Resolution asking to cancel a 2 Month Notice to End Tenancy for Landlord Use of Property.

The matter was set for a conference call hearing. Both parties appeared at the hearing. Both parties provided affirmed testimony and were provided the opportunity to present their evidence, orally and in written and documentary form, and make submissions to me.

I have reviewed all oral and written evidence before me that met the requirements of the Rules of Procedure. However, only the evidence relevant to the issues and findings in this matter are described in this Decision.

Preliminary Issues

At the start of the hearing the Tenant's advocate testified that he believes the parties have resolved the issue because the Landlord has agreed that the Tenant can stay in the rental unit. The Tenant testified that the Landlord sent the Tenant an email stating that the Tenant can stay.

The Landlord testified that she is putting the property on the market to sell, but she agrees that the Tenant can stay.

The Tenant is disputing a 2 Month Notice To End Tenancy For Landlord's Use Of Property but she did not provide a copy of the Notice. The Landlord testified that she issued the Tenant a 2 Month Notice To End Tenancy For Landlord's Use Of Property

dated July 17, 2016 ("the 2 Month Notice") The Tenant confirmed that she received the 2 Month Notice.

The Landlord testified that she agrees to withdraw the 2 Month Notice dated July 17, 2016.

Based on the 2 Month Notice being withdrawn, there is no need to proceed with the Tenants application to cancel the 2 Month Notice.

Since the parties have reached an understanding on this matter prior to the hearing, I do not grant the applicant recovery of the filing fee for the application.

Conclusion

As the Landlord has rescinded the 2 Month Notice To End Tenancy For Landlord's Use Of Property dated July 17, 2016. The tenancy continues until 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: September 20, 2016

Residential Tenancy Branch