



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, CNL

Introduction

This hearing was convened by way of conference call concerning an application made by the tenant seeking an order cancelling a notice to end the tenancy for cause and for an order cancelling a notice to end the tenancy for landlord's use of property. The landlord and the tenant attended the hearing, and the tenant was accompanied by the tenant's spouse.

During the course of the hearing, the parties agreed that the tenants have moved out of the rental unit, and therefore, the tenant's application is dismissed.

Also, during the course of the hearing the parties agreed that the deemed date that the landlord received the tenant's forwarding address in writing is today, and the landlord will comply with Section 38 of the *Residential Tenancy Act* with respect to return of the security deposit.

Conclusion

For the reasons set out above, the tenant's application is hereby dismissed.

I hereby order the landlord to comply with Section 38 of the *Residential Tenancy Act* with respect to the security deposit held in trust, and, by consent I order that today's date is the date the landlord is deemed to have received the tenant's forwarding address in writing.

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 03, 2016

Residential Tenancy Branch