



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNC FF MNDC OLC

### Introduction

This hearing was convened to hear matters pertaining to an Application for Dispute Resolution filed by the Tenant on January 26, 2017. The Tenant filed seeking an order to cancel a 1 Month Notice to end tenancy for cause; a \$7,600.00 Monetary Order; an Order to the Landlord to comply with the Act, Regulation, or tenancy agreement; and to recover the cost of his filing fee.

The hearing was conducted via teleconference and was attended by the Landlord and the Tenant's mother (the Agent). Each person gave affirmed testimony. I explained how the hearing would proceed and the expectations for conduct during the hearing, in accordance with the Rules of Procedure. Each party was provided an opportunity to ask questions about the process; however, each declined and acknowledged that they understood how the conference would proceed.

### Issue(s) to be Decided

1. Have these matters been withdrawn?
2. Have the parties mutually agreed upon a date to end the tenancy?

### Background and Evidence

The Agent submitted that she wished to withdraw the Tenant's application with leave to reapply. She stated they were only seeking to recover the cost of the filing fee and that the Tenant had arranged to be moved out of the rental unit effective March 1, 2017.

The Landlord did not dispute the Agent's submissions. Rather, I heard the Landlord state that he was in agreement to the March 1, 2017 move out date.

The parties mutually agreed to meet at the rental unit on March 1, 2017 between 3:30 p.m. and 4:00 p.m. to conduct the move out inspection and return the keys to the Landlord.

Analysis

The Agent withdrew the Tenant's application in its entirety. Therefore, as there were no findings made, I grant the Tenant leave to file another application, within the stipulated timeframes set out in the *Act*.

In addition, as the merits of the application were not determined, I declined to award recovery of the filing fee.

Conclusion

The Tenant's application was withdrawn.

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: February 24, 2017

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Residential Tenancy Branch