



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNL

Introduction

This hearing dealt with the tenant's application pursuant to the *Residential Tenancy Act* ("Act") for: cancellation of the landlord's 2 Month Notice to End Tenancy for landlord's own use (the 2 Month Notice) pursuant to section 49.

The landlord's agent, LS ('landlord'), testified on behalf of the landlord in this hearing and was given full authority to do so. The tenant's advocate, SW, testified on behalf of the tenant in this hearing and was given full authority to do so. Both parties were given a full opportunity to be heard, to present evidence and to make submissions.

As both parties were in attendance I confirmed that there were no issues with service of the tenant's application for dispute resolution and evidentiary materials. The landlord confirmed receipt of the tenant's materials. In accordance with sections 88 and 89 of the *Act*, I find that the landlord was duly served with copies of the tenant's application and evidence. The landlord did not submit written evidence for this hearing.

Both parties indicated during the hearing that they had mutually settled the dispute before the scheduled hearing. The landlord testified that this fixed term tenancy will end on April 30, 2017 by way of a new written tenancy agreement signed on March 9, 2017, and that the 2 Month Notice is withdrawn. The tenant cancelled his application.

As both parties resolved this dispute before the hearing, I note that this matter did not proceed by way of hearing as the tenant had withdrawn his application.

Dated: March 13, 2017

Residential Tenancy Branch