



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC

This is an application brought by the tenant requesting An order canceling a Notice to End Tenancy that was given for cause.

No hearing was held however because, even though I waited until well past the time at which the hearing was to start, no one joined the conference call that was set up for the hearing.

Section 55 of the Residential Tenancy Act states:

- 55** (1) If a tenant makes an application for dispute resolution to dispute a landlord's notice to end a tenancy, the director must grant to the landlord an order of possession of the rental unit if
- (a) the landlord's notice to end tenancy complies with section 52 *[form and content of notice to end tenancy]*, and
 - (b) the director, during the dispute resolution proceeding, dismisses the tenant's application or upholds the landlord's notice.

In this case I have examined the Notice to End Tenancy and it is my finding that it does comply with section 52 of the Act, however both the applicant and the respondent have supplied a copy of a letter that states that the applicants have canceled their Notice to End Tenancy.

Conclusion

I therefore dismiss this application with leave to re-apply; however, since the landlord has canceled the Notice to End Tenancy, I will not be issuing an Order of Possession.

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: April 10, 2017

Residential Tenancy Branch