



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes CNC, FF

### Introduction

This hearing was convened to deal with an application by the tenant under the *Residential Tenancy Act* (the “Act”) seeking an order cancelling a 1 Month Notice to End Tenancy for Cause dated April 19, 2017 (the “1 Month Notice”). The tenant also sought recovery of the application filing fee.

The tenant attended the hearing and presented affirmed testimony.

As the landlord did not attend, service of the tenant’s application and notice of hearing was considered. The tenant advised that he had sent these materials by registered mail to the landlord on April 27, 2017. A copy of the receipt for the registered mail was in evidence. I am satisfied that the landlord was served in accordance with the Act.

At the outset of the hearing the tenant advised that the landlord had withdrawn the 1 Month Notice and the tenant had consented to this. Letters dated May 9 and May 10, 2017 from the landlord to the tenant advising of this were in evidence. The letters state that the landlord has revoked the 1 Month Notice and that the tenancy will continue.

The tenant further advised that he was content to withdraw his application on the basis of the landlord’s revocation of the 1 Month Notice.

### Conclusion

The tenant withdrew his application in full at the hearing on the basis of the landlord’s revocation of the 1 Month Notice.

The tenant is at liberty to reapply if the landlord attempts to enforce the 1 Month Notice.

I do not grant the recovery of the cost of the filing fee as the application was withdrawn in full during the hearing.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under s. 9.1(1) of the Act.

Dated: May 25, 2017

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Residential Tenancy Branch

