



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes DRI, CNR, RR, O

Introduction

This hearing was convened by way of conference call concerning an application made by the tenant disputing a rent increase and seeking orders cancelling a notice to end the tenancy for unpaid rent or utilities and to reduce rent for repairs, services or facilities agreed upon but not provided.

The landlord and the tenant attended the hearing and advised that the parties have signed a Mutual Agreement to End Tenancy, however a copy has not been provided for this hearing. Having signed the Mutual Agreement to End Tenancy, the tenant advised that the hearing need not proceed, and I dismiss the tenant's application without leave to reapply.

The *Residential Tenancy Act* states that where I dismiss a tenant's application to cancel a notice to end a tenancy given by a landlord, I must grant an Order of Possession in favour of the landlord, so long as the notice given is in the approved form. Neither party has provided a copy of a notice to end the tenancy. Therefore I cannot be satisfied that any given by the landlord is in the approved form and I decline to issue an Order of Possession.

Conclusion

For the reasons set out above, the tenant's application is hereby dismissed in its entirety without leave to reapply.

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: June 06, 2017

Residential Tenancy Branch