



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

**Dispute Codes** CNL FF

### **Introduction**

This hearing dealt with the tenants' application pursuant to the *Residential Tenancy Act* (the *Act*) for cancellation of the landlords' 2 Month Notice to End Tenancy for Landlord's Use of Property ("2 Month Notice"), pursuant to section 49; and authorization to recover the filing fee for this application from the landlord pursuant to section 72.

While the tenant, MM ('tenants'), attended the hearing by way of conference call, the landlord did not. I waited until 9:40 a.m. to enable the landlord to participate in this scheduled hearing for 9:30 a.m. The tenant was given a full opportunity to be heard, to present affirmed testimony, to make submissions and to call witnesses.

The tenants testified that the landlord was personally served with the tenants' application for dispute resolution hearing ('Application') on May 10, 2017. In accordance with section 89 of the *Act*, I find that the landlord duly served with the tenants' application.

As the tenants confirmed receipt of the 2 Month Notice on May 1, 2017, I find that this document was duly served to the tenants in accordance with section 88 of the *Act*.

At the beginning of the hearing the tenant, MM, indicated that they had moved out on June 3, 2017 as per the 2 Month Notice issued to them on May 1, 2017 by the landlord. As this tenancy has now come to an end, the tenants indicated that they are withdrawing their entire Application. Accordingly, the tenants' entire Application is cancelled.

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 20, 2017

---

Residential Tenancy Branch