



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, OPR, MNR, MDSD & FF

Introduction

The Application for Dispute Resolution filed by the Tenant makes the following claims:

- a. An order to cancel the one month Notice to End Tenancy dated August 1, 2017
- b. An order that the tenant recover the cost of the filing fee

The Application for Dispute Resolution filed by the landlord makes the following claims:

- a. An Order for Possession pursuant to a one month Notice to End Tenancy
- b. An order to recover the cost of the filing fee

A hearing was conducted by conference call in the presence of the Tenant and in the absence of the landlords. On the basis of the solemnly affirmed evidence presented at that hearing, a decision has been reached. All of the evidence was carefully considered.

I find that the landlord served the one month Notice to End Tenancy setting the end of tenancy for September 1, 2017 on August 1, 2017. The tenant testified he served the Application for Dispute Resolution/Notice of Hearing on the landlord around the middle of August by posting. He acknowledged the landlord served an Application for Dispute Resolution on him.

The parties entered into a month to month written tenancy agreement that provided that the tenancy would start on February 1, 2017. The rent is \$1000 per month payable on the first day of each month. The tenant paid a security deposit of \$400 prior to the start of the tenancy.

Tenants' Application:

The tenant testified they vacated the rental unit on August 29, 2017. Further, they had no interest in reinstating the tenancy.

As a result I ordered the application of the tenants to cancel the one month Notice to End Tenancy be dismissed as withdrawn. I further ordered the tenants claim for the return of the cost of the filing fee be dismissed.

Landlords' Application:

The landlords failed to attend the hearing. As a result I dismissed the landlords' application without leave to re-apply.

This decision is final and binding on the parties.

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: September 11, 2017

Residential Tenancy Branch