



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Columbus Charities Association
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNC, FF

This hearing was convened in response to an application by the Tenant pursuant to the *Residential Tenancy Act* (the “Act”) for Orders as follows:

1. An Order cancelling a notice to end tenancy - Section 47; and
2. An Order to recover the filing fee for this application - Section 72.

This matter was set for a conference call hearing at 10:30 a.m. on this date. The line remained open while the phone system was monitored for ten minutes. The only participant who called into the hearing during this time was the Landlord. The Tenant did not appear during this time and following the expiry of 10 minutes the hearing was concluded.

At the onset of the hearing the Landlord stated that following receipt of a letter from a health authority, the Landlord rescinded the one month notice to end tenancy for cause (the “Notice”) and that the tenancy has been continued or reinstated. The Landlord confirms that the Notice is dated August 28, 2017, sets out an effective date of September 30, 2017 and is the Notice that is the subject of the Tenant’s application. Given the submissions from the Landlord I find that the Tenant’s application to dispute the Notice has been successful and that the Tenant is therefore entitled to recovery of the \$100.00 filing fee. The Tenant may deduct this amount from future rent payable.

I grant the Tenant an order under Section 67 of the Act for **\$100.00**. If necessary, this order may be filed in the Small Claims Court and enforced as an order of that Court.

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: November 22, 2017

Residential Tenancy Branch