



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNL, FF

Introduction

This hearing was scheduled to deal with the tenant's application pursuant to the *Residential Tenancy Act* ("Act") for:

- cancellation of the landlord's 2 Month Notice (the "2 Month Notice") to End Tenancy for landlord's use pursuant to section 49; and
- recovery of the filing fees for the application from the landlord pursuant to section 72.

The landlord did not attend this hearing.

At the outset of the hearing the tenant appeared and testified that she has vacated the rental unit and withdrew her application to cancel the 2 Month Notice.

The tenant made an oral application to add claims for monetary damages and loss. The tenant indicated that the details of her loss are detailed in the contents of her written evidence package. I decline to amend the tenant's Application to include a monetary claim as the tenant has not served the landlord in accordance with Rule 4.6 and adding a new head of claim without proper notice would be prejudicial to the landlord.

Conclusion

The tenant's application is withdrawn and dismissed without leave to reapply.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: November 23, 2017

Residential Tenancy Branch