



Dispute Resolution Services

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Residential Tenancy Branch Office of Housing and Construction Standards

Dispute Codes: CNC

Introduction:

The Application for Dispute Resolution filed by the Tenant seeks an order to cancel the one month Notice to End Tenancy dated September 25, 2017.

A hearing was conducted by conference call in the presence of both parties. 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 one month Notice to End Tenancy was personally served on the Tenant on September 26, 2017. Further I find that the Application for Dispute Resolution/Notice of Hearing filed by the Tenant was sufficiently served on the landlord as the landlord acknowledged receipt of the same. With respect to each of the applicant's claims I find as follows:

Issues to be Decided:

The issue to be decided is whether the tenant is entitled to an order cancelling the Notice to End Tenancy dated?

Background and Evidence:

The tenancy began around two years ago. The rent was \$670 per month payable in advance on the first day of the month.

The tenant vacated the rental property in early November 2017.

Analysis:

As the tenant has vacated the rental property and has no interest in having the tenancy reinstated I order that application of the tenant be dismissed without leave to re-apply. The landlord has regained possession and it is not necessary to give an Order of Possession.

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: December 14, 2017

Residential Tenancy Branch