



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNC

### Introduction

This hearing was convened as a result of the Tenant's Application for Dispute Resolution. The participatory hearing was held, by teleconference, on January 31, 2018. The Tenant applied for the following relief, pursuant to the *Residential Tenancy Act* (the "Act"):

- to cancel a 1-Month Notice to End Tenancy for Cause (the Notice).

Both parties attended the hearing and were provided the opportunity to present their evidence orally and in written and documentary form, and make submissions to me. Each party confirmed receipt of each other's documentary evidence.

I have reviewed all oral and written evidence before me that met the requirements of the rules of procedure. However, only the evidence relevant to the issues and findings in this matter are described in this Decision.

### Preliminary Matters

The Landlord issued the Notice because the Tenant had a sauna installed in her rental unit. However, since that time, the Tenant has removed the sauna and she provided photos to support this. The Landlord stated he will do a follow up inspection and the Tenant was okay with this. Given that the issue supporting the Notice has been resolved, the Landlord withdrew the Notice, issued on November 1, 2017. Both parties expressed a willingness to continue the tenancy. Given this, I accept the withdrawal of the Notice, and the application to cancel the Notice before me is dismissed, without leave.

Conclusion

The Notice issued November 1, 2017, is withdrawn and is of no force or effect. I dismiss the Tenant's application 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: January 31, 2018

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Residential Tenancy Branch