



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPC OPN AS ERP FF OLC

Introduction

This hearing dealt with the applications from both the landlord and the tenant pursuant to the *Residential Tenancy Act* (the *Act*).

The landlord applied for:

- An Order of Possession for Cause pursuant to section 55 of the *Act*.

The tenant applied for:

- a cancellation of the 1 Month Notice to End Tenancy for Cause;
- emergency repairs to the rental unit pursuant to section 33 of the *Act*;
- an Order directing the landlord to comply *Act* pursuant to section 62;
- an Order allowing the tenant to sublet the rental unit pursuant to section 65; and
- a return of the filing fee pursuant to section 72 of the *Act*.

Both the tenant and the landlord attended the hearing. Both parties were given a full opportunity to be heard, to present testimony and to make submissions.

Following opening remarks, the tenant said that he had vacated the rental unit on January 31, 2018 and was no longer pursuing his application. The tenant asked if he could amend his application to include an application for a monetary award. I explained to the tenant that this amendment could not be considered at this hearing, but informed the tenant that he was free to pursue his application for a monetary award at a future date. The tenant confirmed he understood and said that he had nothing further he wished to discuss.

The landlord explained that he was no longer pursuing his application for an Order of Possession as the tenant had vacated the rental unit. The landlord said he also wished to withdraw his application.

I informed both parties that withdrawing their application would conclude the hearing and this matter would be dismissed without leave to re-apply. The tenant and the landlord stated they understood this and wished to proceed with their withdrawal of the applications.

Conclusion

The applications from both the tenant and the landlord are withdrawn.

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: March 5, 2018

Residential Tenancy Branch