



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, OLC, FFT

Introduction

This hearing dealt with the tenant's application pursuant to the *Residential Tenancy Act* (the *Act*) for:

- cancellation of the landlord's 1 Month Notice to End Tenancy for Cause (the 1 Month Notice) pursuant to section 47;
- an order requiring the landlord to comply with the *Act*, regulation or tenancy agreement pursuant to section 62; and
- authorization to recover his filing fee for this application from the landlord pursuant to section 72.

The tenant attended the hearing and was given a full opportunity to be heard, to present sworn testimony, to make submissions and to call witnesses. Although there was a significant delay in commencing this hearing, the landlord did not participate in this hearing. This did not present an obstacle, as the tenant advised that there was no longer any need for the tenant to proceed with his application.

As the tenant confirmed that he was handed the 1 Month Notice by the landlord on April 17, 2018, I find that the tenant was duly served with this Notice in accordance with section 88 of the *Act*. Since the tenant testified that he handed the landlord a copy of the dispute resolution hearing package on April 19, 2018, I find that the landlord was duly served with this package in accordance with section 89 of the *Act*.

Issues(s) to be Decided

Should the landlord's 1 Month Notice be cancelled? If not, is the landlord entitled to an Order of Possession? Should any orders be issued against the landlord as a result of the tenant's claim that the landlord has failed to comply with the requirements of the *Act*? Is the tenant entitled to recover the filing fee for this application from the landlord?

Background and Evidence

The tenant testified that the parties entered into a mutual agreement to end this tenancy, which both parties signed. In accordance with the terms of this mutual agreement, the tenant vacated the rental unit by April 30, 2018.

Since this tenancy has ended and the reason for the tenant's application to cancel the landlord's 1 Month Notice is now a moot point, the tenant withdrew the application for dispute resolution.

Conclusion

The tenant's application for dispute resolution is withdrawn.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: June 15, 2018

Residential Tenancy Branch