



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNR

### Introduction

This hearing dealt with the tenant's application pursuant to the *Residential Tenancy Act* (the *Act*) for cancellation of the 10 Day Notice to End Tenancy, pursuant to section 46.

The landlord and the tenant's legal advocate attended the hearing and were each given a full opportunity to be heard, to present affirmed testimony, to make submissions, and to call witnesses. The tenant's legal advocate testified that she had authority to act on behalf of the tenant.

The legal advocate testified that the landlord was served the notice of dispute resolution package by registered mail on May 30, 2018. The Canada Post Tracking Number was provided to confirm this registered mailing. The landlord confirmed receipt of the dispute resolution package. I find that the landlord was deemed served with this package on April 4, 2018, five days after its mailing, in accordance with sections 89 and 90 of the *Act*.

### Analysis & Conclusion

During the course of the hearing, the tenant withdrew the application as the tenant vacated the rental unit on July 2, 2018. The landlord consented to the withdrawal of the tenant's application. As no further action is required with respect to the application, I dismiss the tenant's application with leave to reapply.

I make no findings on the merits of the matter. Liberty to reapply is not an extension of any applicable limitation period.

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: July 19, 2018

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Residential Tenancy Branch