



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding COUNTY MOBILE HOME PARK  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      CNC

### Introduction

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

- cancellation of the landlord's One Month Notice to End Tenancy for Cause (One Month Notice) pursuant to section 47 of the *Act*.

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

As both parties were present, service of documents was confirmed. The tenant testified that she personally served the landlord with the Notice of Dispute Resolution Proceeding package for this hearing, and this was confirmed by the landlord. I find that the documents for this hearing were served in accordance with section 89 of the *Act*.

At the outset of the hearing, the parties stated that they had come to a resolution of their dispute prior to the hearing. The landlord confirmed that she had agreed to cancel the One Month Notice issued to the tenant, dated May 22, 2018. Therefore, the tenant had agreed to withdraw her application to dispute the One Month Notice.

Rule 5 of the Residential Tenancy Branch Rules of Procedures sets out that a tenant requires the consent of the landlord to withdraw their application to dispute a notice to end tenancy.

Accordingly, I find that the landlord has consented to the tenant's withdrawal of the application for dispute resolution as a result of the landlord cancelling the One Month Notice.

I find that the landlord's One Month Notice dated May 22, 2018 is of no force or effect, and I accept the tenant's request to withdraw her application for dispute resolution.

No determinations were made concerning the merit of the One Month Notice.

Issue(s) to be Decided

Should the landlord's One Month Notice to End Tenancy for Cause be cancelled? If not, is the landlord entitled to an Order of Possession on the basis of the Notice to End Tenancy?

Conclusion

I find that the landlord's One Month Notice dated May 22, 2018 is cancelled and of no force or effect. I accept the tenant's request to withdraw her application for dispute resolution.

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 20, 2018

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Residential Tenancy Branch