



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC CNL CNR FFT

Introduction

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

- an application to cancel a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities ("10 Day Notice");
- an application to cancel a 1 Month Notice to End Tenancy for Cause ("1 Month Notice");
- an application to cancel a 2 Month Notice to End Tenancy for Landlord's Use of Property ("2 Month Notice"); and
- a return of the filing fee pursuant to section 72 of the *Act*.

Both the landlord and the tenant attended the hearing by conference call. Both parties were given a full opportunity to be heard, to present their testimony and to make submissions. Following introductory remarks, the landlord said she no longer wished to enforce the notices to end tenancy and wished to withdraw all of the notices to end tenancy issued to the tenant.

I explained to the landlord that withdrawing these notices would conclude the hearing and this matter would be dismissed. The landlord stated she understood this and wished to proceed with the withdrawal of all notices to end tenancy.

As the tenant was forced to dispute these notices which were later withdrawn, I allow the tenant to recover the filing fee associated with the application. The tenant may pursuant to section 72 of the *Act*, withhold \$100.00 from a future rent payment on **ONE** occasion, in satisfaction for a return of the filing fee.

Conclusion

The tenant's application to cancel the 10 Day Notice, 1 Month and 2 Month Notices to End Tenancy was successful. This tenancy shall continue until it is ended in accordance with the *Act*.

The tenant may withhold \$100.00 from a future rent payment on **ONE** occasion.

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 16, 2018

Residential Tenancy Branch