



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: CNC, RP, RR, FFT

Introduction:

The Application for Dispute Resolution filed by the Tenant seeks the following:

- a. An order to cancel the one month Notice to End Tenancy dated May 31, 2018
- b. An order for repairs
- c. An order for the reduction of rent for repairs, services or facilities agreed upon but not provided
- d. An order to recover the cost of the filing fee.

A hearing was conducted by conference call in the presence of both parties. On the basis of the solemnly affirmed evidence presented at that hearing, a decision has been reached. All of the evidence was carefully considered.

Both parties were given a full opportunity to present evidence and make submissions. Neither party requested an adjournment or a Summons to Testify. Prior to concluding the hearing both parties acknowledged they had presented all of the relevant evidence that they wished to present.

I find that the one month Notice to End Tenancy was personally served on the Tenant on May 31, 2018. Further I find that the Application for Dispute Resolution/Notice of Hearing filed by the Tenant was sufficient served on the landlord. With respect to each of the applicant's claims I find as follows:

Issues to be Decided:

The issues to be decided are as follows:

- a. Whether the tenant is entitled to an order cancelling the one month Notice to End Tenancy dated May 31, 2018?
- b. Whether the Tenant is entitled to a repair order?
- c. Whether the tenant is entitled to an order for the reduction of rent for repairs, services or facilities agreed upon but not provided.
- d. Whether the tenant is entitled to recover the cost of the filing fee?

Determination::

The parties advised they are involved in another arbitration that raises many of the same claims that has been adjourned twice and is set to be reconvened tomorrow at 3:00 p.m. They further advised that the landlord agreed to withdraw the one month Notice to End Tenancy. The landlord confirmed this. As a result I ordered that the one month Notice to End Tenancy be cancelled as withdrawn.

The tenant also stated that many of his monetary claims are similar but not identical to the issues be raised in tomorrow's hearing. He has not provided a monetary order worksheet and apart from a letter he wrote he has not provided any further evidence. After some discussion the tenant stated he wished to withdraw his remaining claims on a without prejudice basis. I ordered that the remaining claims filed by the Tenant be dismissed with liberty to re-apply.

This decision is final and binding on the parties.

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 30, 2018

Residential Tenancy Branch