



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding CMHA KOOTENAYS
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNC

Introduction

This decision pertains to the tenant's application for dispute resolution made on June 21, 2018, under section 58 of the *Residential Tenancy Act* (the "Act"). The tenant seeks an order cancelling a One Month Notice to End Tenancy for Cause (the "Notice").

The landlord's agent (referred to as "the landlord" herein) attended the hearing before me, was given a full opportunity to be heard, to present affirmed testimony, to make submissions, and to call witnesses. The tenant did not attend.

While I have reviewed all oral and documentary evidence submitted, only relevant evidence pertaining to the issues of this application is considered in my decision.

Issues to be Decided

1. Is the tenant entitled to an order cancelling the Notice?
2. If not, is the landlord entitled to an order of possession under section 55 of the Act?

Background and Evidence

The landlord advised that she had received a recent e-mail from the wherein the tenant stated that she had gone into the local courthouse on July 24, 2018, to cancel the hearing and withdrew her application.

The landlord further advised that she had been working with the tenant in securing housing, and was working with her regarding the issues that lead to the tenant's application.

After discussing the Notice with the landlord, she confirmed that the landlord was hereby withdrawing and cancelling the Notice.

Conclusion

Having confirmed with the landlord that the Notice is cancelled and of no force or effect, I dismiss the tenant's application without leave to reapply.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under section 9.1(1) of the Act.

Dated: August 17, 2018

Residential Tenancy Branch