



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC MT

Introduction

This hearing dealt with the tenant's application pursuant to the *Residential Tenancy Act* (the *Act*) for cancellation of the landlords' 1 Month Notice to End Tenancy for Cause (the 1 Month Notice) pursuant to section 47; and more time to make an application to cancel the landlords' 1 Month Notice to End Tenancy for Cause (the 1 Month Notice) pursuant to section 66.

While the tenant attended the hearing by way of conference call, the landlords did not. I waited until 11:12 a.m. to enable the landlords to participate in this scheduled hearing for 11:00 a.m. The tenant was given a full opportunity to be heard, to present affirmed testimony, to make submissions and to call witnesses.

The tenant provided sworn, undisputed testimony that she had served the landlords with her application for dispute resolution hearing package ("Application") and evidence on August 28, 2018 by way of Registered Mail. The tenant provided the tracking numbers during the hearing. In accordance with sections 88, 89, and 91 of the *Act*, I find that the landlords were deemed served with the tenant's application and evidence on September 2, 2018, five days after mailing. The landlord did not submit any written evidence for this hearing.

The tenant acknowledged receipt of the 1 Month Notice dated July 20, 2018. In accordance with section 88 of the *Act*, I find that the tenant was duly served with the 1 Month Notice.

The tenant testified in the hearing that the matter has now been resolved between both parties, and that the landlord had withdrawn the 1 Month Notice to End Tenancy. In the absence of any submissions by the landlords in regards to the tenant's application and the 1 Month Notice issued by the landlords, I accept the sworn,

undisputed testimony of the tenant that this matter has now been resolved. The 1 Month Notice Dated July 20, 2018 is hereby cancelled, and is of no force or effect. The tenancy will continue until ended in accordance with the *Act*.

Conclusion

I allow the tenant's application, and the 1 Month Notice is cancelled. The 1 Month Notice dated July 20, 2018 is of no force or effect.

This tenancy continues until ended in accordance with the *Act*.

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: October 5, 2018

Residential Tenancy Branch