



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC

Introduction

This decision pertains to the tenant's application for dispute resolution made under the *Residential Tenancy Act* (the "Act"). The tenant sought to cancel a One Month Notice to End Tenancy for Cause pursuant to section 47(4) of the Act.

A dispute resolution hearing was convened on October 15, 2018, and the tenant attended, was given a full opportunity to be heard, to present testimony, to make submissions, and to call witnesses.

For the purposes of this Decision, I have only reviewed and considered oral and documentary evidence submitted pertaining to the preliminary issue of this application.

Preliminary Issue: Withdrawal of Application

The tenant testified that she sought to withdraw her application, and that the landlord consented to this withdrawal, in writing. The tenant submitted into evidence a copy of a signed withdrawal notice, dated October 2, 2018, and signed by both parties. The tenant noted that the landlord signed the notice on October 11, 2018.

Rule 5.0.1 of the *Rules of Procedure*, under the Act, permits a tenant to withdraw their application, when that application pertains to a dispute of a landlord's notice to end tenancy, when there is the written consent of the landlord to withdraw that application.

I find that the tenant has met the Rule 5.0.1 requirement and as such may withdraw her application.

At the end of the hearing, the tenant provided me with a corrected mailing address for the landlord, of which I accept and have entered into the Residential Tenancy Branch file on this matter.

Conclusion

The tenant's application is hereby withdrawn.

I make no findings of law or fact in respect of the application.

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: October 15, 2018

Residential Tenancy Branch