



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC

Introduction

This hearing convened as a result of a Tenant's Application for Dispute Resolution, filed on July 12, 2018, wherein the Tenant sought to cancel a Notice to End Tenancy for Cause issued on August 2, 2018 (the "Notice").

The hearing was scheduled for teleconference at 11:00 a.m. on September 10, 2018. Both parties called into the hearing.

The Tenant named the Landlord's manager as Landlord on his Application. Pursuant to section 64(3)(c) of the *Act* I amend the Tenant's Application to correctly name the Landlord as noted on the residential tenancy agreement.

At the outset of the hearing the Tenant stated that the night before the hearing he received communication from the Landlord indicating the Landlord wished to withdraw the Notice. At the hearing before me the Landlord confirmed he wished to withdraw the Notice.

Notably the Notice failed to indicate the reasons for ending the tenancy on page 2. The parties are reminded that a tenancy may only be ended in accordance with the *Act* as set out in section 44, and that a Notice must also comply with section 52.

As the dispute appears to have arisen due to the presence of others in the rental unit, the parties are further cautioned to consider sections 13, 40 and 47 of the *Act* as they relate to additional occupants in the rental unit as well as *Residential Tenancy Branch Policy Guideline 19 Assignment and Sublet*.

Conclusion

The Landlord withdrew the Notice at the hearing. The tenancy shall continue 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: September 10, 2018

Residential Tenancy Branch