



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

CNC, OLC, RP, ERP

Introduction

This hearing was convened in response to the Tenants' Application for Dispute Resolution, in which the Tenants applied to set aside a Notice to End Tenancy for Cause, for an Order requirement the Landlord to comply with the *Residential Tenancy Act (Act)* or the tenancy agreement; and for an Order requiring the Landlord to make repairs.

The female Tenant stated that on November 07, 2018 the Application for Dispute Resolution, the Notice of Hearing, and 18 pages of evidence were sent to the Landlord, via registered mail. The Landlord stated that she received these documents; that the documents listed an incorrect mailing and email address for her; that she was not certain she was correctly named as an applicant in these matters; and that she did not submit any evidence because she was not certain she was the Respondent named in the Application for Dispute Resolution.

The parties were advised that I would consider adjourning this hearing if the Landlord believed she needed more time to respond to the Tenants' Application for Dispute Resolution. The Landlord initially indicated she wanted an adjournment. The Landlord subsequently agreed that the hearing could proceed and that she could request an adjournment if, at any point during the hearing, she determined that she needed additional time to prepare a response to the Tenants' claims. This hearing was concluded without the Landlord requesting an adjournment.

Issue(s) to be Decided

Should the Notice to End Tenancy for Cause, served pursuant to section 47 of the *Residential Tenancy Act (Act)*, be set aside?

Is there a need to issue an Order requiring the Landlord to take action?

Background and Evidence

The female Tenant stated that the Tenants fully vacated the rental unit on December 11, 2018. The Landlord stated that she was not aware the unit had been vacated.

The Tenants stated that since the rental unit has been vacated they will withdraw their application to set aside a Notice to End Tenancy for Cause, their application for an Order requirement the Landlord to comply with the *Act* or the tenancy agreement; and their application for an Order requiring the Landlord to make repairs.

Analysis

As the Tenants withdrew all of the issues in dispute at these proceedings, I find that their entire Application for Dispute Resolution has been withdrawn.

Conclusion

The Tenants' Application for Dispute Resolution has been withdrawn.

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: December 14, 2018

Residential Tenancy Branch