



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes ET, FFL

Introduction

This hearing was scheduled to deal with a landlord's application for an order to end the tenancy early and obtain an Order of Possession under section 56 of the Act pursuant to an Application filed by the landlord on December 13, 2018.

The landlord, the landlord's husband and the landlord's son appeared at the hearing. There was no appearance on part of the tenant.

I noted that there were two tenants identified on this application and the names of the tenants were that of the landlord and her husband. The landlord confirmed that she erred in completing the Application and that she filed another Application for Dispute Resolution to seek the same remedy and that matter was already heard on January 15, 2019 (file number referenced on the cover page of this decision).

The landlord's son appeared at the hearing and the landlord indicated this was because the landlord's son intends to occupy the rental unit. I noted that there is a hearing scheduled for January 28, 2019 to deal with the tenant's request to cancel a 2 Month Notice to End Tenancy for Landlord's Use of Property, among other things (file number referenced on cover page of this decision). I informed the landlord that the purpose of today's hearing was not to determine the validity of the 2 Month Notice and that matter remained scheduled for January 28, 2019. The landlord confirmed that she was aware of the January 28, 2019 hearing.

The landlord requested this application be withdrawn as she does not wish to evict her or her husband from the property and the Application was completed incorrectly.

I granted the landlord's request for withdrawal as it is clear the application did not properly identify the correct parties and there was no appearance on part of the actual tenant.

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: January 25, 2019

Residential Tenancy Branch