



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNL-4M FFT MT RP

### Introduction

This decision is in respect of the tenants' application for dispute resolution under the *Residential Tenancy Act* (the "Act"). The tenants sought the following remedies:

1. an order cancelling a Four Month Notice to End Tenancy for Demolition, Renovation, Repair or Conversion of Rental Unit (the "Notice"), pursuant to section 49(8) of the Act;
2. more time to file an application for dispute resolution, pursuant to section 66(1) of the Act;
3. an order for regular repairs, pursuant to sections 32 and 62(3) of the Act; and,
4. a monetary order for recovery of the filing fee, pursuant to section 72 of the Act.

A dispute resolution hearing was convened on February 14, 2019, and the landlord and tenant (S.R.) attended.

### Preliminary Issue: Cancellation of Notice and Withdrawal of Application

At the start of the hearing the landlord advised that due to unforeseen business circumstances he is unable to proceed with the planned renovations to the property. As such, he indicated a desire to withdraw his application.

I explained that, as this was an application made by the tenants, the landlord could cancel the Notice and the tenant could withdraw. The parties understood and agreed. As such, as requested by the landlord, the Notice issued on October 22, 2018 is hereby

canceled and is of no force or effect. The tenancy will continue until it is ended in accordance with the Act. The tenant withdrew their application.

As further explained in the hearing, I grant the tenants a monetary award of \$100.00 for recovery of the filing fee, pursuant to section 72 of the Act. I order that the tenants may make a one-time deduction in the amount of \$100.00 from their rent for March 2019 in full satisfaction of this award.

### Conclusion

I hereby order that:

1. the Notice issued on October 22, 2018 is cancelled, as ordered by the landlord;
2. the tenants' application is withdrawn; and,
3. the tenants may deduct \$100.00 from their rent for March 2019.

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: February 14, 2019

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Residential Tenancy Branch