



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes **CNR FFT MNDCT OLC**

Introduction

This hearing dealt with the tenant's application pursuant to the *Residential Tenancy Act* (the "**Act**") for:

- cancellation of the landlord's 10 Day Notice to End Tenancy for Unpaid Rent (the "**Notice**") pursuant to section 46;
- an order requiring the landlord to comply with the Act, regulation or tenancy agreement pursuant to section 62;
- a monetary order for compensation for damage or loss under the Act, regulation or tenancy agreement pursuant to section 67; and
- authorization to recover his filing fee for this application from the landlord pursuant to section 72.

Both parties attended the hearing and were each given a full opportunity to be heard, to present affirmed testimony, to make submissions, and to call witnesses.

At the outset of the hearing, the tenant advised me that she wished to withdraw her claim against the landlord. The landlord confirmed that this was the case.

The parties made no submissions regarding the circumstances leading to the tenant's withdrawal, or the status of the Notice. As such, I cannot make any findings with regard to the status. I note however, that the Notice may remain valid absent an agreement between the parties that the landlord withdraw it.

Accordingly, by consent of the parties, I order that the tenant's application is dismissed without leave to reapply. I make no findings as to the merits of this case.

As the tenant withdrew her application, she must bear the cost of her own filing fee.

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: March 1, 2019

Residential Tenancy Branch