



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNL OLC

Introduction

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

- cancellation of the Two Month Notice to End Tenancy for Landlord's Use of Property (Two Month Notice) pursuant to section 49 of the *Act*, and
- an order for the landlord to comply with the *Act*, regulation and/or tenancy agreement pursuant to section 62 of the *Act*.

The tenant appeared at the date and time set for the hearing of this matter. The landlord did not attend this hearing, although I left the teleconference hearing connection open until 9:40 a.m. in order to enable the landlord to call into this teleconference hearing scheduled for 9:30 a.m. I confirmed that the correct call-in numbers and participant codes had been provided in the Notice of Hearing. I also confirmed from the teleconference system that the landlord and I were the only ones who had called into this teleconference.

At the outset of the hearing, the tenant advised that she was withdrawing her Application for Dispute Resolution as she had found another place to live and will be moving out of the rental unit as of March 31, 2019.

A copy of the Two Month Notice submitted into evidence by the tenant confirmed that the effective vacancy date on the notice is March 31, 2019. As the tenant will be vacating the rental unit in accordance with the vacancy date of the landlord's notice, I accept the tenant's request to withdraw her application.

The tenant confirmed that she withheld rent payment for March 2019, in accordance with her entitlement for one month's rent payable pursuant to the compensation provisions of section 51(1) of the *Act*.

Issue(s) to be Decided

Should the landlord's Two Month Notice be cancelled? If not, is the landlord entitled to an Order of Possession?

Has the landlord contravened the *Act*, regulations or tenancy agreement and should be ordered to comply?

Conclusion

The tenant's Application is withdrawn.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: March 22, 2019

Residential Tenancy Branch